

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2003

 FIFTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 16, 2003

The House of Representatives convened at 9:30 a.m. and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by Aaron Wittnebel, who is serving as a House Page this session from Lake Park, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dempsey	Holberg	Lesch	Ozment	Stang
Adolphson	Dill	Hoppe	Lieder	Paulsen	Strachan
Anderson, B.	Dorn	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Eastlund	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Eken	Huntley	Lipman	Penas	Thao
Atkins	Ellison	Jacobson	Magnus	Peterson	Thissen
Beard	Entenza	Jaros	Mahoney	Powell	Tingelstad
Bernardy	Erhardt	Johnson, J.	Mariani	Pugh	Urdahl
Blaine	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Borrell	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Boudreau	Fuller	Kahn	Meslow	Ruth	Walker
Bradley	Gerlach	Kielkucki	Mullery	Samuelson	Walz
Brod	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Buesgens	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Carlson	Gunther	Koenen	Nelson, M.	Sertich	Westerberg
Clark	Haas	Kohls	Nelson, P.	Severson	Westrom
Cornish	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cox	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Davids	Hausman	Lanning	Olson, M.	Slawik	Spk. Sviggum
Davnie	Heidgerken	Larson	Opatz	Smith	
DeLaForest	Hilstrom	Latz	Osterman	Soderstrom	
Demmer	Hilty	Lenczewski	Otto	Solberg	

A quorum was present.

Abeler was excused until 10:00 a.m. Biernat was excused until 11:00 a.m. Dorman was excused until 12:05 p.m. Kelliher was excused until 2:35 p.m. Otremba was excused until 7:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Nelson, C., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 597 and H. F. No. 652, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lesch moved that the rules be so far suspended that S. F. No. 597 be substituted for H. F. No. 652 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 770 and H. F. No. 845, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abrams moved that the rules be so far suspended that S. F. No. 770 be substituted for H. F. No. 845 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 906 and H. F. No. 921, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Soderstrom moved that S. F. No. 906 be substituted for H. F. No. 921 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1192 and H. F. No. 1216, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rhodes moved that S. F. No. 1192 be substituted for H. F. No. 1216 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1278 and H. F. No. 1482, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Soderstrom moved that the rules be so far suspended that S. F. No. 1278 be substituted for H. F. No. 1482 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 12, 2003

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 456, relating to historic districts; designating Victory Memorial Drive as a historic district.

H. F. No. 258, relating to agriculture; prohibiting registration of certain fertilizers.

H. F. No. 1080, relating to the military; extending certain tuition reimbursement; deleting a reporting requirement.

H. F. No. 700, relating to civil actions; providing immunity for good faith reports to or requests for assistance from law enforcement.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2003 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2003</i>	<i>Date Filed 2003</i>
942		29	11:58 a.m. May 12	May 12
	456	30	12:05 p.m. May 12	May 12
1071		32	2:45 p.m. May 12	May 12
	258	33	12:10 p.m. May 12	May 12
	1080	34	12:15 p.m. May 12	May 12
	700	35	12:17 p.m. May 12	May 12
515		36	12:18 p.m. May 12	May 12
433		37	4:20 p.m. May 12	May 12

Sincerely,

MARY KIFFMEYER
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 597, 770, 906, 1192 and 1278 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sykora introduced:

H. F. No. 1626, A bill for an act relating to parenting time centers; providing a divorce filing fee surcharge to fund parenting time centers; appropriating money; amending Minnesota Statutes 2002, section 357.021, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Civil Law.

Clark; Walker; Ellison; Hausman; Wagenius; Goodwin; Hornstein; Biernat; Johnson, S.; Thissen; Latz; Atkins and Osterman introduced:

H. F. No. 1627, A bill for an act relating to firearms; requiring persons carrying firearms to obtain permission from possessors of private residences before entry; providing penalties; amending Minnesota Statutes 2002, section 624.714, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Bernardy, Greiling, Koenen, Peterson, Eken, Entenza, Latz and Mullery introduced:

H. F. No. 1628, A bill for an act relating to game and fish; modifying angling license fees; amending Minnesota Statutes 2002, section 97A.475, subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Hackbarth introduced:

H. F. No. 1629, A bill for an act relating to taxation; property tax; providing that certain real property used as a shooting range is classified as class 4c property; amending Minnesota Statutes 2002, section 273.13, subdivision 25.

The bill was read for the first time and referred to the Committee on Taxes.

Thissen introduced:

H. F. No. 1630, A bill for an act relating to workers' compensation; changing the standard for timeliness of payment; amending Minnesota Statutes 2002, section 176.221, subdivision 8.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Kahn and Wagenius introduced:

H. F. No. 1631, A bill for an act relating to government purchasing; prohibiting purchase of certain piping; proposing coding for new law in Minnesota Statutes, chapters 16C; 471.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Latz; Bernardy; Sieben; Nelson, M.; Atkins; Thissen; Walker; Johnson, S.; Thao; Hornstein; Ellison; Mullery; Wagenius; Pugh; Slawik; Kelliher; Greiling; Lieder; Hausman; Dorn; Carlson; Kahn; Mahoney; Larson; Mariani; Goodwin; Lenczewski; Clark; Davnie; Paymar and Lesch introduced:

H. F. No. 1632, A bill for an act relating to firearms; authorizing city councils to prohibit carrying firearms in a city hall or city meeting; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 385, A bill for an act relating to judiciary; providing a gross misdemeanor penalty for fifth degree arson when the conduct results in bodily harm to a person; updating the fine amount for a misdemeanor penalty; amending Minnesota Statutes 2002, section 609.5632.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fuller moved that the House concur in the Senate amendments to H. F. No. 385 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 385, A bill for an act relating to crime prevention; adding criminal penalties for fires caused by grossly negligent persons that result in bodily harm to a person; making technical changes to the negligent fire law; amending Minnesota Statutes 2002, section 609.576, subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abrams	Demmer	Harder	Knoblach	Meslow	Pugh
Adolphson	Dempsey	Hausman	Koenen	Mullery	Rhodes
Anderson, I.	Dill	Heidgerken	Kohls	Murphy	Ruth
Anderson, J.	Dorn	Hilstrom	Kuisle	Nelson, C.	Samuelson
Atkins	Eastlund	Hilty	Lanning	Nelson, M.	Seagren
Beard	Eken	Holberg	Larson	Nelson, P.	Seifert
Bernardy	Ellison	Hoppe	Latz	Nornes	Severson
Blaine	Entenza	Hornstein	Lenczewski	Olsen, S.	Sieben
Boudreau	Erhardt	Howes	Lesch	Opatz	Simpson
Bradley	Erickson	Huntley	Lieder	Osterman	Slawik
Brod	Finstad	Jacobson	Lindgren	Otto	Smith
Carlson	Fuller	Jaros	Lindner	Ozment	Soderstrom
Clark	Gerlach	Johnson, J.	Lipman	Paulsen	Solberg
Cornish	Goodwin	Johnson, S.	Magnus	Paymar	Stang
Cox	Greiling	Juhnke	Mahoney	Pelowski	Strachan
Davids	Gunther	Kahn	Mariani	Penas	Swenson
Davnie	Haas	Kielkucki	Marquart	Peterson	Sykora
DeLaForest	Hackbarth	Klinzing	McNamara	Powell	Thao

Thissen	Vandev eer	Walz	Westerberg	Zellers
Tingelstad	Wagenius	Wardlow	Westrom	Spk. Sviggum
Urdahl	Walker	Wasiluk	Wilkin	

Those who voted in the negative were:

Borrell	Buesgens	Krinkie	Olson, M.	Rukavina	Sertich
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 837, A bill for an act relating to natural resources; allowing the Clearwater river watershed district to charge for facilities for disposing sewage, industrial waste, or other wastes.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olson, M., moved that the House concur in the Senate amendments to H. F. No. 837 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 837, A bill for an act relating to natural resources; allowing the Clearwater river watershed district to collect charges for facilities for disposing sewage, industrial waste, or other wastes.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Ellison	Hausman	Kahn	Lindgren
Abrams	Clark	Entenza	Heidgerken	Kielkucki	Lindner
Adolphson	Cornish	Erhardt	Hilstrom	Klinzing	Lipman
Anderson, I.	Cox	Erickson	Hilty	Knoblach	Magnus
Anderson, J.	Davids	Finstad	Hoppe	Koenen	Mahoney
Atkins	Davnie	Fuller	Hornstein	Kohls	Mariani
Beard	DeLaForest	Gerlach	Howes	Kuisle	Marquart
Bernardy	Demmer	Goodwin	Huntley	Lanning	McNamara
Blaine	Dempsey	Greiling	Jacobson	Larson	Meslow
Borrell	Dill	Gunther	Jaros	Latz	Mullery
Boudreau	Dorn	Haas	Johnson, J.	Lenczewski	Murphy
Bradley	Eastlund	Hackbarth	Johnson, S.	Lesch	Nelson, C.
Brod	Eken	Harder	Juhnke	Lieder	Nelson, M.

Nelson, P.	Paulsen	Rukavina	Simpson	Thao	Wardlow
Nornes	Paymar	Ruth	Slawik	Thissen	Wasiluk
Olsen, S.	Pelowski	Samuelson	Soderstrom	Tingelstad	Westerberg
Olson, M.	Penas	Seagren	Solberg	Urdahl	Westrom
Opatz	Peterson	Seifert	Stang	Vandevveer	Wilkin
Osterman	Powell	Sertich	Strachan	Wagenius	Zellers
Otto	Pugh	Severson	Swenson	Walker	Spk. Sviggum
Ozment	Rhodes	Sieben	Sykora	Walz	

Those who voted in the negative were:

Buesgens	Holberg	Krinkie	Smith
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1257, A bill for an act relating to natural resources; authorizing a drainage authority to compensate landowners for the removal of a bridge; amending Minnesota Statutes 2002, section 103E.701, by adding a subdivision.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Swenson moved that the House concur in the Senate amendments to H. F. No. 1257 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1257, A bill for an act relating to natural resources; authorizing a drainage authority to compensate landowners for the removal of a private bridge or culvert; amending Minnesota Statutes 2002, section 103E.701, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Bradley	Cox	Dill	Erhardt
Abrams	Beard	Brod	Dauids	Dorn	Erickson
Adolphson	Bernardy	Buesgens	Davnie	Eastlund	Finstad
Anderson, B.	Blaine	Carlson	DeLaForest	Eken	Fuller
Anderson, I.	Borrell	Clark	Demmer	Ellison	Gerlach
Anderson, J.	Boudreau	Cornish	Dempsey	Entenza	Goodwin

Greiling	Johnson, J.	Lieder	Olsen, S.	Samuelson	Thissen
Gunther	Johnson, S.	Lindgren	Olson, M.	Seagren	Tingelstad
Haas	Juhnke	Lindner	Opatz	Seifert	Urdahl
Hackbarth	Kahn	Lipman	Osterman	Sertich	Vanderveer
Harder	Kielkucki	Magnus	Otto	Severson	Wagenius
Hausman	Klinzing	Mahoney	Ozment	Sieben	Walker
Heidgerken	Knoblach	Mariani	Paulsen	Simpson	Walz
Hilstrom	Koenen	Marquart	Paymar	Slawik	Wardlow
Hilty	Kohls	McNamara	Pelowski	Smith	Wasiluk
Holberg	Krinkie	Meslow	Penas	Soderstrom	Westerberg
Hoppe	Kuisle	Mullery	Peterson	Solberg	Westrom
Hornstein	Lanning	Murphy	Powell	Stang	Wilkin
Howes	Larson	Nelson, C.	Pugh	Strachan	Zellers
Huntley	Latz	Nelson, M.	Rhodes	Swenson	Spk. Sviggum
Jacobson	Lenczewski	Nelson, P.	Rukavina	Sykora	
Jaros	Lesch	Nornes	Ruth	Thao	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 259, A bill for an act relating to drivers' licenses; removing sunset provisions to allow certain school buses to continue to be operated by licensed child care providers and by holders of Class D drivers' licenses under limited conditions; amending Minnesota Statutes 2002, sections 169.448, subdivision 1; 171.02, subdivision 2a; Laws 2001, chapter 97, section 5.

PATRICE DWORAK, First Assistant Secretary of the Senate

Kuisle moved that the House refuse to concur in the Senate amendments to H. F. No. 259, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 326, A bill for an act relating to health; modifying dental practice provisions; amending Minnesota Statutes 2002, sections 150A.06, subdivisions 1a, 3, by adding a subdivision; 150A.10, subdivision 1a, by adding a subdivision; 256B.55, subdivisions 3, 4, 5.

PATRICE DWORAK, First Assistant Secretary of the Senate

Samuelson moved that the House refuse to concur in the Senate amendments to H. F. No. 326, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 829.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 829, A bill for an act relating to metropolitan government; eliminating certain reporting requirements; providing for a parks division committee on the metropolitan council; providing for the direct charging by the metropolitan council of industrial dischargers for certain wastewater treatment user fees; removing an obsolete requirement for metropolitan school districts to submit capital improvement plans to the metropolitan council for review; providing a redistricting plan for the metropolitan council; amending Minnesota Statutes 2002, sections 473.123, subdivision 4; 473.13, subdivision 1; 473.517, by adding a subdivision; repealing Minnesota Statutes 2002, sections 473.121, subdivision 12; 473.1623; 473.301, subdivision 4; 473.303; 473.704, subdivision 19; 473.863.

The bill was read for the first time.

Buesgens moved that S. F. No. 829 and H. F. No. 785, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 677

A bill for an act relating to occupations and professions; modifying licensure requirements for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers; amending Minnesota Statutes 2002, sections 326.10, by adding subdivisions; 326.107, subdivisions 4, 8; repealing Minnesota Statutes 2002, sections 326.10, subdivision 5; 326.107, subdivisions 6, 9.

May 14, 2003

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 677, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 677 be further amended as follows:

Page 3, line 6, delete the third comma and insert "has been called to active duty in the military services"

Page 3, line 7, delete everything after the comma

Page 3, line 8, delete "active duty in the military services."

We request adoption of this report and repassage of the bill.

House Conferees: SONDRERICKSON, DANIEL SEVERSON AND BERNIE L. LIEDER

Senate Conferees: LINDA SCHEID, SHEILA M. KISCADEN AND SANDRA L. PAPPAS

Erickson moved that the report of the Conference Committee on H. F. No. 677 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 677, A bill for an act relating to occupations and professions; modifying licensure requirements for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers; amending Minnesota Statutes 2002, sections 326.10, by adding subdivisions; 326.107, subdivisions 4, 8; repealing Minnesota Statutes 2002, sections 326.10, subdivision 5; 326.107, subdivisions 6, 9.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilty	Lenczewski	Otto	Solberg
Abrams	Dempsey	Holberg	Lesch	Ozment	Stang
Adolphson	Dill	Hoppe	Lieder	Paulsen	Strachan
Anderson, B.	Dorn	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Eastlund	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Eken	Huntley	Lipman	Penas	Thao
Atkins	Ellison	Jacobson	Magnus	Peterson	Thissen
Beard	Entenza	Jaros	Mahoney	Powell	Tingelstad
Bernardy	Erhardt	Johnson, J.	Mariani	Pugh	Urdahl
Blaine	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Borrell	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Boudreau	Fuller	Kahn	Meslow	Ruth	Walker
Bradley	Gerlach	Kielkucki	Mullery	Samuelson	Walz
Brod	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Buesgens	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Carlson	Gunther	Koenen	Nelson, M.	Sertich	Westerberg
Clark	Haas	Kohls	Nelson, P.	Severson	Westrom
Cornish	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cox	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Davids	Hausman	Lanning	Olson, M.	Slawik	Spk. Sviggum
Davnie	Heidgerken	Larson	Opatz	Smith	
DeLaForest	Hilstrom	Latz	Osterman	Soderstrom	

The bill was repassed, as amended by Conference, and its title agreed to.

CALENDAR FOR THE DAY

H. F. No. 1425 was reported to the House.

Holberg moved to amend H. F. No. 1425 as follows:

Page 2, line 33, before the period, insert "except for any case in which a judgment has been entered and is under appeal as of that date or is the subject of a petition for discretionary review as of that date"

The motion prevailed and the amendment was adopted.

Rhodes moved to amend H. F. No. 1425, as amended, as follows:

Page 2, line 23, delete "\$25,000,000" and insert "\$100,000,000"

The motion prevailed and the amendment was adopted.

Latz moved to amend H. F. No. 1425, as amended, as follows:

Page 1, line 10, delete "paragraph (b)" and insert "paragraphs (b) and (c)"

Page 2, after line 30, insert:

"(c) The appeal bond limit as established in this section does not apply to any cigarette manufacturer making annual payments to the state under a settlement of the lawsuit styled as State v. Philip Morris Inc., No. C1-94-8565, Minnesota District Court, Second Judicial District."

A roll call was requested and properly seconded.

The question was taken on the Latz amendment and the roll was called. There were 55 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abrams	Ellison	Johnson, S.	McNamara	Paymar	Thao
Anderson, I.	Goodwin	Juhnke	Meslow	Pelowski	Wagenius
Atkins	Greiling	Kahn	Mullery	Peterson	Walker
Bernardy	Hausman	Koenen	Murphy	Rhodes	Wasiluk
Carlson	Hilstrom	Larson	Nelson, C.	Rukavina	Westerberg
Clark	Hilty	Latz	Nelson, M.	Samuelson	
Davnie	Hornstein	Lenczewski	Olsen, S.	Sertich	
Dill	Huntley	Lesch	Opatz	Severson	
Dorn	Jacobson	Lieder	Osterman	Sieben	
Eken	Jaros	Mariani	Otto	Slawik	

Those who voted in the negative were:

Abeler	Cox	Haas	Kuisle	Powell	Urdahl
Adolphson	Davids	Hackbarth	Lanning	Ruth	Vandev eer
Anderson, B.	DeLaForest	Harder	Lindgren	Seagren	Walz
Anderson, J.	Demmer	Heidgerken	Lindner	Seifert	Wardlow
Beard	Dempsey	Holberg	Lipman	Simpson	Westrom
Blaine	Eastlund	Hoppe	Magnus	Smith	Wilkin
Borrell	Erhardt	Howes	Marquart	Soderstrom	Zellers
Boudreau	Erickson	Johnson, J.	Nelson, P.	Stang	Spk. Sviggum
Bradley	Finstad	Kielkucki	Nornes	Strachan	
Brod	Fuller	Klinzing	Ozment	Swenson	
Buesgens	Gerlach	Knoblach	Paulsen	Sykora	
Cornish	Gunther	Krinkie	Penas	Tingelstad	

The motion did not prevail and the amendment was not adopted.

H. F. No. 1425, A bill for an act relating to judgments; regulating stays of execution on money judgments; limiting bond amounts; amending Minnesota Statutes 2002, section 550.36.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Jacobson	Magnus	Pelowski	Swenson
Adolphson	Dempsey	Johnson, J.	Marquart	Penas	Sykora
Anderson, I.	Dill	Juhnke	McNamara	Powell	Thissen
Anderson, J.	Eastlund	Kielkucki	Meslow	Pugh	Tingelstad
Atkins	Eken	Klinzing	Mullery	Rhodes	Urdahl
Beard	Erhardt	Knoblach	Nelson, C.	Ruth	Vandev eer
Blaine	Erickson	Koenen	Nelson, M.	Samuelson	Walz
Borrell	Finstad	Kohls	Nelson, P.	Seagren	Wardlow
Boudreau	Fuller	Krinkie	Nornes	Seifert	Westerberg
Bradley	Gerlach	Kuisle	Olsen, S.	Severson	Westrom
Brod	Hackbarth	Lanning	Olson, M.	Simpson	Wilkin
Buesgens	Harder	Lenczewski	Opatz	Smith	Zellers
Cornish	Heidgerken	Lieder	Osterman	Soderstrom	Spk. Sviggum
Cox	Holberg	Lindgren	Otto	Solberg	
Davids	Hoppe	Lindner	Ozment	Stang	
DeLaForest	Howes	Lipman	Paulsen	Strachan	

Those who voted in the negative were:

Abrams	Ellison	Hornstein	Latz	Peterson	Wagenius
Bernardy	Goodwin	Huntley	Lesch	Rukavina	Walker
Carlson	Greiling	Jaros	Mahoney	Sertich	Wasiluk
Clark	Hausman	Johnson, S.	Mariani	Sieben	
Davnie	Hilstrom	Kahn	Murphy	Slawik	
Dorn	Hilty	Larson	Paymar	Thao	

The bill was passed, as amended, and its title agreed to.

Atkins was excused between the hours of 10:30 a.m. and 12:05 p.m.

The Speaker assumed the Chair.

S. F. No. 552 was reported to the House.

Ozment moved to amend S. F. No. 552 as follows:

Page 2, delete lines 21 to 30

Page 2, line 31, delete everything before "\$33,858.25"

A roll call was requested and properly seconded.

The question was taken on the Ozment amendment and the roll was called. There were 57 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hilstrom	Latz	Paulsen	Strachan
Abrams	Eken	Hoppe	Lieder	Pelowski	Sykora
Anderson, I.	Ellison	Hornstein	Mahoney	Peterson	Thao
Bernardy	Entenza	Jaros	Mariani	Powell	Thissen
Boudreau	Erhardt	Johnson, S.	McNamara	Rhodes	Tingelstad
Carlson	Goodwin	Kahn	Mullery	Ruth	Wagenius
Clark	Greiling	Knoblach	Nelson, C.	Samuelson	Walker
Cornish	Gunther	Kohls	Nelson, M.	Seagren	
Cox	Harder	Krinkie	Otto	Sieben	
Dill	Hausman	Larson	Ozment	Simpson	

Those who voted in the negative were:

Adolphson	Dempsey	Jacobson	Lipman	Penas	Vandever
Anderson, B.	Eastlund	Johnson, J.	Magnus	Pugh	Walz
Anderson, J.	Erickson	Juhnke	Marquart	Rukavina	Wardlow
Beard	Finstad	Kielkucki	Meslow	Seifert	Westerberg
Blaine	Fuller	Klinzing	Murphy	Sertich	Westrom
Borrell	Gerlach	Koenen	Nelson, P.	Severson	Wilkin
Bradley	Haas	Kuisle	Nornes	Slawik	Zellers
Brod	Hackbarth	Lanning	Olsen, S.	Soderstrom	Spk. Sviggum
Buesgens	Hilty	Lenczewski	Olson, M.	Solberg	
Dauids	Holberg	Lesch	Opatz	Stang	
DeLaForest	Howes	Lindgren	Osterman	Swenson	
Demmer	Huntley	Lindner	Paymar	Urdahl	

The motion did not prevail and the amendment was not adopted.

S. F. No. 552, A bill for an act relating to claims against the state; providing for payment of various claims; authorizing a payment; confirming a decision; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Howes	Lipman	Paulsen	Soderstrom
Abrams	Dill	Huntley	Magnus	Paymar	Solberg
Adolphson	Eastlund	Jacobson	Mahoney	Pelowski	Stang
Anderson, B.	Eken	Johnson, J.	Mariani	Penas	Strachan
Anderson, I.	Ellison	Juhnke	Marquart	Peterson	Swenson
Anderson, J.	Entenza	Kielkucki	McNamara	Powell	Sykora
Beard	Erhardt	Klinzing	Meslow	Pugh	Tingelstad
Blaine	Erickson	Knoblach	Mullery	Rukavina	Urdahl
Borrell	Finstad	Koenen	Murphy	Ruth	Vandever
Boudreau	Fuller	Kohls	Nelson, C.	Samuelson	Walz
Bradley	Gerlach	Kuise	Nelson, M.	Seagren	Wardlow
Brod	Gunther	Lanning	Nelson, P.	Seifert	Wasiluk
Carlson	Haas	Larson	Nornes	Sertich	Westerberg
Cox	Hackbarth	Lenczewski	Olsen, S.	Severson	Westrom
Davids	Harder	Lesch	Olson, M.	Sieben	Zellers
Davnie	Heidgerken	Lieder	Opatz	Simpson	Spk. Sviggum
DeLaForest	Hilty	Lindgren	Osterman	Slawik	
Demmer	Holberg	Lindner	Otto	Smith	

Those who voted in the negative were:

Bernardy	Dorn	Hilstrom	Johnson, S.	Ozment	Wagenius
Buesgens	Goodwin	Hoppe	Kahn	Rhodes	Walker
Clark	Greiling	Hornstein	Krinkie	Thao	Wilkin
Cornish	Hausman	Jaros	Latz	Thissen	

The bill was passed and its title agreed to.

Anderson, B., was excused between the hours of 11:00 a.m. and 7:00 p.m.

S. F. No. 926, A bill for an act relating to public safety; providing for property manager background checks on the Minnesota computerized criminal history system; amending Minnesota Statutes 2002, section 299C.68, subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Lenczewski	Osterman	Smith
Adolphson	Dill	Holberg	Lesch	Otto	Soderstrom
Anderson, I.	Dorn	Hoppe	Lieder	Ozment	Solberg
Anderson, J.	Eastlund	Hornstein	Lindgren	Paulsen	Stang
Beard	Eken	Howes	Lindner	Paymar	Strachan
Bernardy	Ellison	Huntley	Lipman	Pelowski	Swenson
Biernat	Entenza	Jacobson	Magnus	Penas	Sykora
Blaine	Erhardt	Jaros	Mahoney	Peterson	Thao
Borrell	Erickson	Johnson, J.	Mariani	Powell	Thissen
Boudreau	Finstad	Johnson, S.	Marquart	Pugh	Tingelstad
Bradley	Fuller	Juhnke	McNamara	Rhodes	Urdahl
Brod	Gerlach	Kahn	Meslow	Rukavina	Vandever
Buesgens	Goodwin	Kielkucki	Mullery	Ruth	Wagenius
Carlson	Greiling	Klinzing	Murphy	Samuelson	Walz
Clark	Gunther	Knoblach	Nelson, C.	Seagren	Wardlow
Cornish	Haas	Koenen	Nelson, M.	Seifert	Wasiluk
Cox	Hackbarth	Kohls	Nelson, P.	Sertich	Westerberg
Davids	Harder	Kuisle	Nornes	Severson	Westrom
Davnie	Hausman	Lanning	Olsen, S.	Sieben	Wilkin
DeLaForest	Heidgerken	Larson	Olson, M.	Simpson	Zellers
Demmer	Hilstrom	Latz	Opatz	Slawik	Spk. Sviggum

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Friday, May 16, 2003:

S. F. Nos. 906, 1019 and 857; H. F. No. 169; and S. F. Nos. 1278 and 40.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 259:

Kuisle, Adolphson and Larson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 326:

Samuelson, Wilkin and Huntley.

CALENDAR FOR THE DAY, Continued

S. F. No. 857, A bill for an act relating to lake improvement districts; changing the percent of property owners necessary to petition for creation and termination of a district; amending Minnesota Statutes 2002, sections 103B.521, subdivision 1; 103B.581, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lesch	Ozment	Stang
Abrams	Dill	Hoppe	Lieder	Paulsen	Strachan
Adolphson	Dorn	Hornstein	Lindgren	Paymar	Swenson
Anderson, I.	Eastlund	Howes	Lindner	Pelowski	Sykora
Anderson, J.	Eken	Huntley	Lipman	Penas	Thao
Beard	Ellison	Jacobson	Magnus	Peterson	Thissen
Bernardy	Entenza	Jaros	Mahoney	Powell	Tingelstad
Biernat	Erhardt	Johnson, J.	Mariani	Pugh	Urdahl
Blaine	Erickson	Johnson, S.	Marquart	Rhodes	Vandever
Borrell	Finstad	Juhnke	McNamara	Rukavina	Wagenius
Boudreau	Fuller	Kahn	Meslow	Ruth	Walker
Bradley	Gerlach	Kielkucki	Mullery	Samuelson	Walz
Brod	Goodwin	Klinzing	Murphy	Seagren	Wardlow
Buesgens	Greiling	Knoblach	Nelson, C.	Seifert	Wasiluk
Carlson	Gunther	Koenen	Nelson, M.	Sertich	Westerberg
Clark	Haas	Kohls	Nelson, P.	Severson	Westrom
Cornish	Hackbarth	Krinkie	Nornes	Sieben	Wilkin
Cox	Harder	Kuisle	Olsen, S.	Simpson	Zellers
Davids	Hausman	Lanning	Olson, M.	Slawik	Spk. Sviggum
Davnie	Heidgerken	Larson	Opatz	Smith	
DeLaForest	Hilstrom	Latz	Osterman	Soderstrom	
Demmer	Hilty	Lenczewski	Otto	Solberg	

The bill was passed and its title agreed to.

S. F. No. 484 was reported to the House.

Nelson, P., moved to amend S. F. No. 484 as follows:

Page 1, line 24, after the second "parks" insert ", trails,"

Page 2, line 18, before "of" insert "or improvement"

Page 2, line 29, after "use" insert "at least 75 percent of"

Page 2, line 33, delete the second "the" and insert "these"

Page 2, line 34, after "parks" insert ", trails."

Page 2, line 36, after the period, insert "The remainder of the funds may be used by the county only for parks and trails connectivity and accessibility purposes. The county must annually report to cities and townships on where funds were collected and where funds were expended in the past year."

The motion prevailed and the amendment was adopted.

S. F. No. 484, A bill for an act relating to counties; authorizing counties to require the dedication of land for public parks; providing certain terms and conditions for the dedication; amending Minnesota Statutes 2002, section 394.25, subdivision 7.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Lenczewski	Osterman	Soderstrom
Abrams	Dempsey	Hilty	Lesch	Otto	Solberg
Adolphson	Dill	Hoppe	Lieder	Ozment	Stang
Anderson, I.	Dorn	Hornstein	Lindgren	Paulsen	Strachan
Anderson, J.	Eastlund	Howes	Lindner	Paymar	Swenson
Beard	Eken	Huntley	Magnus	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Mahoney	Penas	Thao
Biernat	Entenza	Jaros	Mariani	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Marquart	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	McNamara	Pugh	Vandever
Boudreau	Finstad	Juhnke	Meslow	Rhodes	Wagenius
Bradley	Fuller	Kahn	Mullery	Rukavina	Walker
Brod	Gerlach	Kielkucki	Murphy	Ruth	Walz
Carlson	Goodwin	Klinzing	Nelson, C.	Samuelson	Wardlow
Clark	Gunther	Knoblach	Nelson, M.	Seagren	Wasiluk
Cornish	Haas	Koenen	Nelson, P.	Seifert	Westerberg
Cox	Hackbarth	Kohls	Nornes	Severson	Westrom
Davids	Harder	Lanning	Olsen, S.	Sieben	Zellers
Davnie	Hausman	Larson	Olson, M.	Simpson	Spk. Sviggum
DeLaForest	Heidgerken	Latz	Opatz	Smith	

Those who voted in the negative were:

Buesgens	Holberg	Krinkie	Kuisle	Wilkin
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1180 was reported to the House.

Krinkie moved to amend S. F. No. 1180 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1111, the first engrossment:

"Section 1. Minnesota Statutes 2002, section 16B.054, is amended to read:

16B.054 [DEVELOPMENTAL DISABILITIES.]

The department of administration is designated as the responsible agency to assist the Minnesota governor's council on developmental disabilities in carrying out all responsibilities under ~~United States Code, title 42, section 6021 et seq.~~ the Developmental Disabilities Assistance and Bill of Rights Act of 2000, also known as United States Code, title 42, sections 15001 to 15115, and Public Law 106-402 (October 30, 2000, 106th Congress), as well as those responsibilities relating to the program which are not delegated to the council.

Sec. 2. Minnesota Statutes 2002, section 16B.24, subdivision 1, is amended to read:

Subdivision 1. [OPERATION AND MAINTENANCE OF BUILDINGS.] The commissioner is authorized to maintain and operate the state capitol building and grounds, subject to whatever standards and policies are set for its appearance and cleanliness by the capitol area architectural and planning board and the commissioner under section 15.50, subdivision 2, clause (j), and all other buildings, cafeterias, and grounds in state-owned buildings in the capitol area under section 15.50, subdivision 2, clause (a), the state department of public safety, bureau of criminal apprehension building in St. Paul, the state department of health building in Minneapolis, ~~the Duluth government services center in Duluth,~~ 321 Grove Street buildings in St. Paul, any other properties acquired by the department of administration, and, when the commissioner considers it advisable and practicable, any other building or premises owned or rented by the state for the use of a state agency. The commissioner shall assign and reassign office space in the capitol and state buildings to make an equitable division of available space among agencies. The commissioner shall regularly update the long-range strategic plan for locating agencies and shall follow the plan in assigning and reassigning space to agencies. The plan must include locational and urban design criteria, a cost-analysis method to be used in weighing state ownership against leasing of space in specific instances, and a transportation management plan. If the commissioner determines that a deviation from the plan is necessary or desirable in a specific instance, the commissioner shall provide the legislature with a timely written explanation of the reasons for the deviation. The power granted in this subdivision does not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 3. Minnesota Statutes 2002, section 16B.24, subdivision 5, is amended to read:

Subd. 5. [RENTING OUT STATE PROPERTY.] (a) [AUTHORITY.] The commissioner may rent out state property, real or personal, that is not needed for public use, if the rental is not otherwise provided for or prohibited by law. The property may not be rented out for more than five years at a time without the approval of the state executive council and may never be rented out for more than 25 years. A rental agreement may provide that the state will reimburse a tenant for a portion of capital improvements that the tenant makes to state real property if the state does not permit the tenant to renew the lease at the end of the rental agreement.

(b) [RESTRICTIONS.] Paragraph (a) does not apply to state trust fund lands, other state lands under the jurisdiction of the department of natural resources, lands forfeited for delinquent taxes, lands acquired under section 298.22, or lands acquired under section 41.56 which are under the jurisdiction of the department of agriculture.

(c) [FORT SNELLING CHAPEL; RENTAL.] The Fort Snelling Chapel, located within the boundaries of Fort Snelling State Park, is available for use only on payment of a rental fee. The commissioner shall establish rental fees for both public and private use. The rental fee for private use by an organization or individual must reflect the reasonable value of equivalent rental space. Rental fees collected under this section must be deposited in the general fund.

(d) [RENTAL OF LIVING ACCOMMODATIONS.] The commissioner shall establish rental rates for all living accommodations provided by the state for its employees. Money collected as rent by state agencies pursuant to this paragraph must be deposited in the state treasury and credited to the general fund.

(e) [LEASE OF SPACE IN CERTAIN STATE BUILDINGS TO STATE AGENCIES.] The commissioner may lease portions of the state-owned buildings in the capitol complex, the capitol square building, the health building, ~~the Duluth government center,~~ and the building at 1246 University Avenue, St. Paul, Minnesota, to state agencies and the court administrator on behalf of the judicial branch of state government and charge rent on the basis of space occupied. Notwithstanding any law to the contrary, all money collected as rent pursuant to the terms of this section shall be deposited in the state treasury. Money collected as rent to recover the bond interest costs of a building funded from the state bond proceeds fund shall be credited to the general fund. Money collected as rent to recover the depreciation costs of a building funded from the state bond proceeds fund and money collected as rent to recover capital expenditures from capital asset preservation and replacement appropriations and statewide building access appropriations shall be credited to a segregated account in a special revenue fund. Money in the account is appropriated to the commissioner to be expended for asset preservation projects as determined by the commissioner. Money collected as rent to recover the depreciation and interest costs of a building built with other state dedicated funds shall be credited to the dedicated fund which funded the original acquisition or construction. All other money received shall be credited to the general services revolving fund.

Sec. 4. Minnesota Statutes 2002, section 16B.33, subdivision 3, is amended to read:

Subd. 3. [AGENCIES MUST REQUEST DESIGNER.] (a) [APPLICATION.] Upon undertaking a project with an estimated cost greater than ~~\$750,000~~ \$2,000,000 or a planning project with estimated fees greater than ~~\$60,000~~ \$200,000, every user agency, except the capitol area architectural and planning board, shall submit a written request for a primary designer for its project to the commissioner, who shall forward the request to the board. The University of Minnesota and the Minnesota state colleges and universities shall follow the process in subdivision 3a to select designers for their projects. The written request must include a description of the project, the estimated cost of completing the project, a description of any special requirements or unique features of the proposed project, and other information which will assist the board in carrying out its duties and responsibilities set forth in this section.

(b) [REACTIVATED PROJECT.] If a project for which a designer has been selected by the board becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations, or other reasons, the commissioner, the Minnesota state colleges and universities, or the University of Minnesota may, if the project is reactivated, retain the same designer to complete the project.

(c) [FEE LIMIT REACHED AFTER DESIGNER SELECTED.] If a project initially estimated to be below the cost and planning fee limits of this subdivision has its cost or planning fees revised so that the limits are exceeded, the project must be referred to the board for designer selection even if a primary designer has already been selected. In this event, the board may, without conducting interviews, elect to retain the previously selected designer if it determines that the interests of the state are best served by that decision and shall notify the commissioner of its determination.

Sec. 5. Minnesota Statutes 2002, section 16B.61, subdivision 1a, is amended to read:

Subd. 1a. [ADMINISTRATION BY COMMISSIONER.] The commissioner shall administer and enforce the State Building Code as a municipality with respect to public buildings and state licensed facilities in the state. The commissioner shall establish appropriate permit, plan review, and inspection fees for public buildings and state licensed facilities. Fees and surcharges for public buildings and state licensed facilities must be remitted to the commissioner, who shall deposit them in the state treasury for credit to the special revenue fund.

Municipalities other than the state having a ~~contractual~~ an agreement with the commissioner for code administration and enforcement service for public buildings and state licensed facilities shall charge their customary fees, including surcharge, to be paid directly to the ~~contractual~~ jurisdiction by the applicant seeking authorization to construct a public building or a state licensed facility. The commissioner shall ~~contract~~ sign an agreement with a municipality other than the state for plan review, code administration, and code enforcement service for public buildings and state licensed facilities in the ~~contractual~~ jurisdiction if the building officials of the municipality meet the requirements of section 16B.65 and wish to provide those services and if the commissioner determines that the municipality has enough adequately trained and qualified building inspectors to provide those services for the construction project.

The commissioner may direct the state building official to assist a community that has been affected by a natural disaster with building evaluation and other activities related to building codes.

Administration and enforcement in a municipality under this section must apply any optional provisions of the State Building Code adopted by the municipality. A municipality adopting any optional code provision shall notify the state building official within 30 days of its adoption.

The commissioner shall administer and enforce the provisions of the code relating to elevators statewide, except as provided for under section 16B.747, subdivision 3.

Sec. 6. Minnesota Statutes 2002, section 16B.62, subdivision 1, is amended to read:

Subdivision 1. [MUNICIPAL ENFORCEMENT.] The State Building Code applies statewide and supersedes the building code of any municipality. A municipality must not by ordinance or through development agreement require building code provisions regulating components or systems of any residential structure that are different from any provision of the State Building Code. A municipality may, with the approval of the state building official, adopt an ordinance that is more restrictive than the State Building Code where geological conditions warrant a more restrictive ordinance. A municipality may appeal the disapproval of a more restrictive ordinance to the commissioner. An appeal under this subdivision is subject to the schedule, fee, procedures, cost provisions, and appeal rights set out in section 16B.67. The State Building Code does not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized by sections 103F.141, 216C.19, subdivision 8, and 326.244. All municipalities shall adopt and enforce the State Building Code with respect to new construction within their respective jurisdictions.

If a city has adopted or is enforcing the State Building Code on June 3, 1977, or determines by ordinance after that date to undertake enforcement, it shall enforce the code within the city. A city may by ordinance and with permission of the township board extend the enforcement of the code to contiguous unincorporated territory not more than two miles distant from its corporate limits in any direction if the code is not in effect in the territory. Where two or more noncontiguous cities which have elected to enforce the code have boundaries less than four miles apart, each is authorized to enforce the code on its side of a line equidistant between them. Once enforcement authority is extended extraterritorially by ordinance, the authority may continue to be exercised in the designated territory even though another city less than four miles distant later elects to enforce the code. After the extension, the city may enforce the code in the designated area to the same extent as if the property were situated within its corporate limits.

Enforcement of the code in an extended area outside a city's corporate limits includes all rules, laws, and ordinances associated with administration of the code.

A city which, on June 3, 1977, had not adopted the code may not commence enforcement of the code within or outside of its jurisdiction until it has provided written notice to the commissioner, the county auditor, and the town clerk of each town in which it intends to enforce the code. A public hearing on the proposed enforcement must be held not less than 30 days after the notice has been provided. Enforcement of the code by the city outside of its jurisdiction commences on the first day of January in the year following the notice and hearing.

Municipalities may provide for the issuance of permits, inspection, and enforcement within their jurisdictions by means which are convenient, and lawful, including by means of contracts with other municipalities pursuant to section 471.59, and with qualified individuals. The other municipalities or qualified individuals may be reimbursed by retention or remission of some or all of the building permit fee collected or by other means. In areas of the state where inspection and enforcement is unavailable from qualified employees of municipalities, the commissioner shall train and designate individuals available to carry out inspection and enforcement on a fee basis. Nothing in this section prohibits a municipality from adopting ordinances relating to zoning, subdivision, or planning unless the ordinance conflicts with a provision of the State Building Code that regulates components or systems of any residential structure.

Sec. 7. Minnesota Statutes 2002, section 16C.08, subdivision 4, is amended to read:

Subd. 4. [REPORTS.] (a) The commissioner shall submit to the governor, the chairs of the house ways and means and senate finance committees, and the legislative reference library a yearly listing of all contracts for professional or technical services executed. The report must identify the contractor, contract amount, duration, and services to be provided. The commissioner shall also issue yearly reports summarizing the contract review activities of the department by fiscal year.

(b) The fiscal year report must be submitted by September 1 of each year and must:

- (1) be sorted by agency and by contractor;
- (2) show the aggregate value of contracts issued by each agency and issued to each contractor;
- (3) distinguish between contracts that are being issued for the first time and contracts that are being extended;
- (4) state the termination date of each contract; ~~and~~
- (5) identify services by commodity code, including topics such as contracts for training, contracts for research and opinions, and contracts for computer systems; and

(6) identify which contracts were awarded without following the solicitation process in this chapter because it was determined that there was only a single source for the services.

(c) Within 30 days of final completion of a contract over \$40,000 covered by this subdivision, the head of the agency entering into the contract must submit a one-page report to the commissioner who must submit a copy to the legislative reference library. The report must:

- (1) summarize the purpose of the contract, including why it was necessary to enter into a contract;
- (2) state the amount spent on the contract; ~~and~~

(3) explain why this amount was a cost-effective way to enable the agency to provide its services or products better or more efficiently; and

(4) if the contract was awarded without following the solicitation process in this chapter because it was determined that there was only a single source for the services, explain why the agency determined there was only a single source for the services.

Sec. 8. Minnesota Statutes 2002, section 16C.10, subdivision 5, is amended to read:

Subd. 5. [SPECIFIC PURCHASES.] The solicitation process described in this chapter is not required for acquisition of the following:

- (1) merchandise for resale purchased under policies determined by the commissioner;
- (2) farm and garden products which, as determined by the commissioner, may be purchased at the prevailing market price on the date of sale;
- (3) goods and services from the Minnesota correctional facilities;
- (4) goods and services from rehabilitation facilities and ~~sheltered workshops~~ extended employment providers that are certified by the commissioner of economic security;
- (5) goods and services for use by a community-based facility operated by the commissioner of human services;
- (6) goods purchased at auction or when submitting a sealed bid at auction provided that before authorizing such an action, the commissioner consult with the requesting agency to determine a fair and reasonable value for the goods considering factors including, but not limited to, costs associated with submitting a bid, travel, transportation, and storage. This fair and reasonable value must represent the limit of the state's bid; and
- (7) utility services where no competition exists or where rates are fixed by law or ordinance.

Sec. 9. Minnesota Statutes 2002, section 16C.15, is amended to read:

16C.15 [~~SHELTERED WORKSHOPS AND SERVICES WORK ACTIVITY PROGRAMS~~ REHABILITATION FACILITIES AND EXTENDED EMPLOYMENT PROVIDERS.]

The commissioner, in consultation with the commissioner of economic security, shall prepare a list containing products and services of ~~state-certified~~ certified rehabilitation facilities, ~~sheltered workshops, and work activity programs~~ and extended employment providers as described in chapter 268A for acquisition by state agencies and institutions.

Sec. 10. Minnesota Statutes 2002, section 16C.16, subdivision 7, is amended to read:

Subd. 7. [ECONOMICALLY DISADVANTAGED AREAS.] (a) Except as otherwise provided in paragraph (b), the commissioner may award up to a six percent preference in the amount bid on state procurement to small businesses located in an economically disadvantaged area.

(b) The commissioner may award up to a four percent preference in the amount bid on state construction to small businesses located in an economically disadvantaged area.

(c) A business is located in an economically disadvantaged area if:

(1) the owner resides in or the business is located in a county in which the median income for married couples is less than 70 percent of the state median income for married couples;

(2) the owner resides in or the business is located in an area designated a labor surplus area by the United States Department of Labor; or

(3) the business is a certified rehabilitation facility or ~~work activity program~~ extended employment provider as described in chapter 268A.

(d) The commissioner may designate one or more areas designated as targeted neighborhoods under section 469.202 or as enterprise zones under section 469.167 as economically disadvantaged areas for purposes of this subdivision if the commissioner determines that this designation would further the purposes of this section. If the owner of a small business resides or is employed in a designated area, the small business is eligible for any preference provided under this subdivision.

(e) The department of revenue shall gather data necessary to make the determinations required by paragraph (c), clause (1), and shall annually certify counties that qualify under paragraph (c), clause (1). An area designated a labor surplus area retains that status for 120 days after certified small businesses in the area are notified of the termination of the designation by the United States Department of Labor.

Sec. 11. Minnesota Statutes 2002, section 327A.01, subdivision 2, is amended to read:

Subd. 2. [BUILDING STANDARDS.] "Building standards" means the materials and installation standards of the State Building Code, adopted by the commissioner of administration pursuant to sections 16B.59 to 16B.75, ~~that~~ is in effect at the time of the construction or remodeling.

Sec. 12. [REPEALER.]

Minnesota Statutes 2002, sections 16A.151, subdivision 5; and 16C.18, subdivision 1, are repealed.

Delete the title and insert:

"A bill for an act relating to state government; updating references; increasing the threshold project amount for designer selection board approval; modifying building code language; modifying state procurement provisions; making permanent litigation proceeds settlement law; eliminating a report; amending Minnesota Statutes 2002, sections 16B.054; 16B.24, subdivisions 1, 5; 16B.33, subdivision 3; 16B.61, subdivision 1a; 16B.62, subdivision 1; 16C.08, subdivision 4; 16C.10, subdivision 5; 16C.15; 16C.16, subdivision 7; 327A.01, subdivision 2; repealing Minnesota Statutes 2002, sections 16A.151, subdivision 5; 16C.18, subdivision 1."

The motion prevailed and the amendment was adopted.

Krinkie moved to amend S. F. No. 1180, as amended, as follows:

Page 10, after line 9, insert:

"Sec. 9. [16C.144] [GUARANTEED SAVINGS CONTRACTS.]

Subdivision 1. [DEFINITIONS.] The following definitions apply to this section.

(a) "Utility" means electricity, natural gas, or other energy resource, water, and wastewater.

(b) "Utility cost-savings" means the difference between the utility costs under the precontract conditions and the utility costs after the changes have been made under the contract. Such savings shall be calculated in comparison to an established baseline of utility costs.

(c) "Established baseline" means the precontract utilities, operations, and maintenance costs.

(d) "Utility cost-savings measure" means a measure that produces utility cost savings and/or operation and maintenance cost savings.

(e) "Operation and maintenance cost savings" means a measurable decrease in operation and maintenance costs that are a direct result of the implementation of one or more utility cost-savings measures, but do not include savings from in-house staff labor. Such savings shall be calculated in comparison to an established baseline of operation and maintenance costs.

(f) "Guaranteed savings contract" means a contract for the evaluation, recommendation, and installation of one or more utility cost-savings measures. The contract must provide that all payments are to be made over time, but not to exceed ten years from the date of final installation, and the savings are guaranteed to the extent necessary to make payments for the utility cost-savings measures.

(g) "Baseline adjustments" means adjusting the established baselines in paragraphs (b) and (d) of this subdivision for changes in the following variables:

(1) utility rates;

(2) number of days in the utility billing cycle;

(3) square footage of the facility;

(4) operational schedule of the facility;

(5) facility temperature set points;

(6) weather; and

(7) amount of equipment or lighting utilized in the facility.

(h) "Lease purchase contract" means a contract obligating the state to make regular lease payments to satisfy the lease costs of the utility cost-savings measures until the final payment, after which time the utility cost-savings measures become the sole property of the state of Minnesota.

(i) "Qualified provider" means a person or business experienced in the design, implementation, and installation of utility cost-savings measures.

(j) "Engineering report" means a report prepared by a professional engineer licensed by the state of Minnesota summarizing estimates of all costs of installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, repairs, and estimates of the amounts by which utility and operation and maintenance costs will be reduced.

(k) "Capital cost avoidance" means money expended by a state agency to pay for utility cost-savings measures with a guaranteed savings contract so long as the measures that are being implemented to achieve the cost-savings are a significant portion of an overall project.

(l) "Guaranteed savings contracting guidelines" means policies, procedures, and requirements of guaranteed savings contracts established by the department of administration upon enacting this legislation.

Subd. 2. [GUARANTEED SAVINGS CONTRACT.] The commissioner may enter into a guaranteed savings contract with a qualified provider if:

(1) the qualified provider is selected through a competitive process in accordance with the guaranteed savings contracting guidelines within the department of administration;

(2) the qualified provider agrees to submit an engineering report prior to the execution of the guaranteed savings contract;

(3) the commissioner finds that the amount it would spend on the utility cost-savings measures recommended in the engineering report will not exceed the amount to be saved in utility operation and maintenance costs over ten years from the date of implementation of utility cost-savings measures;

(4) the qualified provider provides a written guarantee that the utility, operation, and maintenance cost savings will meet or exceed the costs of the guaranteed savings contract. The qualified provider shall reimburse the state for any shortfall of guaranteed utility cost-savings; and

(5) the qualified provider gives a sufficient bond in accordance with section 574.26 to the commissioner for the faithful implementation and installation of the utility cost-savings measures.

Subd. 3. [LEASE PURCHASE CONTRACT.] The commissioner may enter into a lease purchase agreement with any party for the implementation of utility cost-savings measures in accordance with an engineering report. The implementation costs of the utility cost-savings measures recommended in the engineering report shall not exceed the amount to be saved in utility and operation and maintenance costs over the term of the lease purchase agreement. The term of the lease purchase agreement shall not exceed ten years. The lease is assignable in accordance with terms approved by the commissioner of finance.

Subd. 4. [USE OF CAPITAL COST AVOIDANCE.] The affected state agency may contribute funds for capital cost avoidance for guaranteed savings contracts. Use of capital cost avoidance is subject to the guaranteed savings contracting guidelines within the department of administration.

Subd. 5. [REPORT.] By January 15 of 2005 and 2007, the commissioner of administration shall submit to the commissioner of finance and the chairs of the senate and house of representatives capital investment committees a list of projects in the agency that have been funded using guaranteed energy savings, as outlined in this section, during the preceding biennium. For each guaranteed savings contract entered into, the commissioner of administration shall contract with an independent third party to evaluate the cost-effectiveness of each utility cost-savings measure implemented to ensure that such measures were the least-cost measures available. For the purposes of this section, "independent third party" means an entity not affiliated with the qualified provider; that is not involved in creating or providing conservation project services to that provider; and that has expertise (or access to expertise) in energy savings practices.

Subd. 6. [CONTRACT LIMITS.] Contracts may not be entered into after June 30, 2007.

[EFFECTIVE DATE.] This section is effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Borrell moved to amend S. F. No. 1180, as amended, as follows:

Page 1, after line 14, insert:

"ARTICLE 1
DEPARTMENT OF ADMINISTRATION"

Page 11, after line 30, insert:

"ARTICLE 2
DATA PRACTICES

Section 1. Minnesota Statutes 2002, section 13.072, subdivision 1, is amended to read:

Subdivision 1. [OPINION; WHEN REQUIRED.] (a) Upon request of a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion on any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices. Upon request of any person who disagrees with a determination regarding data practices made by a ~~state agency, statewide system, or political subdivision~~ government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government data.

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written opinion on any question relating to the body's duties under chapter 13D. Upon request of a person who disagrees with the manner in which members of a governing body perform their duties under chapter 13D, the commissioner may give a written opinion on compliance with chapter 13D. A governing body or person requesting an opinion under this paragraph must pay the commissioner a fee of \$200. Money received by the commissioner under this paragraph is appropriated to the commissioner for the purposes of this section.

(c) If the commissioner determines that no opinion will be issued, the commissioner shall give the ~~state agency, statewide system, political subdivision,~~ government entity or body subject to chapter 13D or person requesting the opinion notice of the decision not to issue the opinion within five days of receipt of the request. If this notice is not given, the commissioner shall issue an opinion within 20 days of receipt of the request.

(d) For good cause and upon written notice to the person requesting the opinion, the commissioner may extend this deadline for one additional 30-day period. The notice must state the reason for extending the deadline. The ~~state agency, statewide system,~~ government entity or ~~political subdivision~~ the members of a body subject to

chapter 13D must be provided a reasonable opportunity to explain the reasons for its decision regarding the data or how they perform their duties under chapter 13D. The commissioner or the ~~state agency, statewide system, government entity or political subdivision~~ body subject to chapter 13D may choose to give notice to the subject of the data concerning the dispute regarding the data or compliance with chapter 13D.

~~(b)~~ (e) This section does not apply to a determination made by the commissioner of health under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

~~(e)~~ (f) A written opinion issued by the attorney general shall take precedence over an opinion issued by the commissioner under this section.

Sec. 2. Minnesota Statutes 2002, section 13.072, subdivision 2, is amended to read:

Subd. 2. [EFFECT.] Opinions issued by the commissioner under this section are not binding on the ~~state agency, statewide system, government entity or political subdivision~~ members of a body subject to chapter 13D whose data or performance of duties is the subject of the opinion, but an opinion described in subdivision 1, paragraph (a), must be given deference by a court in a proceeding involving the data. The commissioner shall arrange for public dissemination of opinions issued under this section. This section does not preclude a person from bringing any other action under this chapter or other law in addition to or instead of requesting a written opinion. A government entity, members of a body subject to chapter 13D, or person that acts in conformity with a written opinion of the commissioner issued to the government entity, members, or person or to another party is not liable for compensatory or exemplary damages or awards of attorneys fees in actions under section 13.08 or for a penalty under section 13.09 or for fines, awards of attorney fees, or any other penalty under chapter 13D. A member of a body subject to chapter 13D is not subject to forfeiture of office if the member was acting in reliance on an opinion.

Sec. 3. Minnesota Statutes 2002, section 13.08, subdivision 4, is amended to read:

Subd. 4. [ACTION TO COMPEL COMPLIANCE.] (a) In addition to the remedies provided in subdivisions 1 to 3 or any other law, any aggrieved person seeking to enforce the person's rights under this chapter or obtain access to data may bring an action in district court to compel compliance with this chapter and may recover costs and disbursements, including reasonable attorney's fees, as determined by the court. If the court determines that an action brought under this subdivision is frivolous and without merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible authority. If the court issues an order to compel compliance under this subdivision, the court may impose a civil penalty of up to \$300 against the government entity. This penalty is payable to the state general fund and is in addition to damages under subdivision 1. The matter shall be heard as soon as possible. In an action involving a request for government data under section 13.03 or 13.04, the court may inspect in camera the government data in dispute, but shall conduct its hearing in public and in a manner that protects the security of data classified as not public. If the court issues an order to compel compliance under this subdivision, the court shall forward a copy of the order to the commissioner of administration.

(b) In determining whether to assess a civil penalty under this subdivision, the court shall consider whether the government entity has substantially complied with general data practices under this chapter, including but not limited to, whether the government entity has:

(1) designated a responsible authority under section 13.02, subdivision 16;

(2) designated a data practices compliance official under section 13.05, subdivision 13;

(3) prepared the public document that names the responsible authority and describes the records and data on individuals that are maintained by the government entity under section 13.05, subdivision 1;

(4) developed public access procedures under section 13.03, subdivision 2; procedures to guarantee the rights of data subjects under section 13.05, subdivision 8; and procedures to ensure that data on individuals are accurate and complete and to safeguard the data's security under section 13.05, subdivision 5;

(5) sought an oral, written, or electronic opinion from the commissioner of administration related to the matter at issue and acted in conformity with that opinion or acted in conformity with an opinion issued under section 13.072 that was sought by another person; or

(6) provided ongoing training to government entity personnel who respond to requests under this chapter.

(c) The court shall award reasonable attorney fees to a prevailing plaintiff who has brought an action under this subdivision if the government entity that is the defendant in the action was also the subject of a written opinion issued under section 13.072 and the court finds that the opinion is directly related to the cause of action being litigated and that the government entity did not act in conformity with the opinion.

Sec. 4. [13.15] [COMPUTER DATA.]

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms have the meanings given.

(a) [ELECTRONIC ACCESS DATA.] "Electronic access data" means data created, collected, or maintained about a person's access to a government entity's computer for the purpose of:

(1) gaining access to data or information;

(2) transferring data or information; or

(3) using government services.

(b) [COOKIE.] "Cookie" means any data that a government-operated computer electronically places on the computer of a person who has gained access to a government computer.

Subd. 2. [CLASSIFICATION OF DATA.] Electronic access data are private data on individuals or nonpublic data.

Subd. 3. [NOTICE; REFUSAL TO ACCEPT COOKIE.] (a) A government entity that creates, collects, or maintains electronic access data or uses its computer to install a cookie on a person's computer must inform persons gaining access to the entity's computer of the creation, collection, or maintenance of electronic access data or the entity's use of cookies before requiring the person to provide any data about the person to the government entity. As part of that notice, the government entity must inform the person how the data will be used and disseminated, including the uses and disseminations in subdivision 4.

(b) Notwithstanding a person's refusal to accept a cookie on the person's computer, a government entity must allow the person to gain access to data or information, transfer data or information, or use government services by the government entity's computer.

Subd. 4. [USE OF ELECTRONIC ACCESS DATA.] Electronic access data may be disseminated:

(1) to the commissioner for the purpose of evaluating electronic government services;

(2) to another government entity to prevent unlawful intrusions into government electronic systems; or

(3) as otherwise provided by law.

Sec. 5. Minnesota Statutes 2002, section 13.32, is amended by adding a subdivision to read:

Subd. 4a. [NONPUBLIC SCHOOL STUDENTS.] Data collected by a public school on a child, or parent of a child, whose identity must be reported pursuant to section 120A.24 is private data which:

(1) shall not be designated directory information pursuant to subdivision 5 unless prior written consent is given by the child's parent or guardian; and

(2) may be disclosed only pursuant to subdivision 3, clause (a), (b), (c), or (f).

This provision does not apply to students who receive shared time educational services from a public agency or institution.

Sec. 6. [13.3215] [UNIVERSITY OF MINNESOTA DATA.]

Claims experience and all related information received from carriers and claims administrators participating in a University of Minnesota group health, dental, life, or disability insurance plan or the University of Minnesota workers' compensation program, and survey information collected from employees or students participating in these plans and programs, except when the university determines that release of the data will not be detrimental to the plan or program, are classified as nonpublic data not on individuals pursuant to section 13.02, subdivision 9.

Sec. 7. Minnesota Statutes 2002, section 13.37, subdivision 3, is amended to read:

Subd. 3. [DATA DISSEMINATION.] Crime prevention block maps and names, home addresses, and telephone numbers of volunteers who participate in community crime prevention programs may be disseminated to volunteers participating in crime prevention programs. The location of a National Night Out event is public data.

Sec. 8. Minnesota Statutes 2002, section 13.43, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] As used in this section, "personnel data" means data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a state agency, statewide system or political subdivision or is a member of or an applicant for an advisory board or commission. Personnel data includes data submitted by an employee to a government entity as part of an organized self-evaluation effort by the government entity to request suggestions from all employees on ways to cut costs, make government more efficient, or improve the operation of government. An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.

Sec. 9. Minnesota Statutes 2002, section 13.462, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] The names and addresses of applicants for and recipients of benefits, aid, or assistance through programs administered by any political subdivision, state agency, or statewide system that are intended to assist with the purchase of, rehabilitation, or other purposes related to housing or other real property are classified as public data on individuals. If an applicant or recipient is a corporation, the names and addresses of the officers of the corporation are public data on individuals. If an applicant or recipient is a partnership, the names and addresses of the partners are public data on individuals. The amount or value of benefits, aid, or assistance received is public data.

Sec. 10. [13.468] [DATA SHARING WITHIN COUNTIES.]

County welfare, human services, corrections, public health, and veterans service units within a county may inform each other as to whether an individual or family currently is being served by the county unit, without the consent of the subject of the data. Data that may be shared are limited to the following: the name, telephone number, and last known address of the data subject; and the identification and contact information regarding personnel of the county unit responsible for working with the individual or family. If further information is necessary for the county unit to carry out its duties, each county unit may share additional data if the unit is authorized by state statute or federal law to do so or the individual gives written, informed consent.

Sec. 11. Minnesota Statutes 2002, section 13.643, is amended by adding a subdivision to read:

Subd. 5. [DATA RECEIVED FROM FEDERAL GOVERNMENT.] All data received by the department of agriculture from the United States Department of Health and Human Services, the Food and Drug Administration, and the Agriculture, Food Safety, and Inspection Service for the purpose of carrying out the department of agriculture's statutory food safety regulatory and enforcement duties are classified as nonpublic data under section 13.02, subdivision 9, and private data on individuals under section 13.02, subdivision 12.

Sec. 12. Minnesota Statutes 2002, section 13.746, subdivision 3, is amended to read:

Subd. 3. [STATE LOTTERY.] (a) [ACCESS TO CRIMINAL DATA.] The state lottery director's access to criminal history data on certain persons is governed by sections 349A.06, subdivision 4, and 349A.07, subdivision 2.

(b) [LOTTERY PRIZE WINNERS.] Certain data on lottery prize winners are classified under section 349A.08, subdivision 9.

(c) [ELECTRONIC TRANSMISSIONS.] Data on individuals requesting electronic transmissions from the lottery are classified in section 349A.08, subdivision 9.

Sec. 13. Minnesota Statutes 2002, section 13.785, subdivision 2, is amended to read:

Subd. 2. [DEPARTMENT OF VETERANS AFFAIRS.] (a) [CERTAIN VETERANS BENEFITS AND MILITARY CERTIFICATES OF DISCHARGE.] Access to military certificates of discharge and to files pertaining to claims for certain veterans benefits is governed by section 196.08.

(b) [AGENT ORANGE INFORMATION AND ASSISTANCE ACT.] Disclosure of summary data and of the identity of a veteran about whom information is received under sections 196.19 to 196.26, is governed by section 196.25.

Sec. 14. Minnesota Statutes 2002, section 16C.06, is amended by adding a subdivision to read:

Subd. 3a. [INFORMATION IN BIDS AND PROPOSALS.] Data relating to bids and proposals are governed by section 13.591.

Sec. 15. Minnesota Statutes 2002, section 16C.10, subdivision 7, is amended to read:

Subd. 7. [REVERSE AUCTION.] (a) For the purpose of this subdivision, "reverse auction" means a purchasing process in which vendors compete to provide goods at the lowest selling price in an open and interactive environment.

(b) The provisions of ~~section~~ sections 13.591, subdivision 3, and 16C.06, subdivisions subdivision 2 and 3, do not apply when the commissioner determines that a reverse auction is the appropriate purchasing process.

Sec. 16. Minnesota Statutes 2002, section 196.08, is amended to read:

196.08 [FILES AND RECORDS CONFIDENTIAL.]

(a) The contents of, and all files, records, reports, papers and documents pertaining to, any claim for the benefits of Laws 1943, chapter 420, whether pending or adjudicated, shall be deemed confidential and privileged and no disclosure thereof shall be made, without the consent in writing of the claimant who has not been adjudicated incompetent, except as follows:

(a) (1) To said claimant personally, a duly appointed guardian, an attorney in fact, or a duly authorized representative, and as to personal matters, when, in the judgment of the commissioner, such disclosure would not be injurious to the physical or mental health of the claimant.

(b) (2) To the representatives of veterans' organizations recognized by the United States government, not exceeding five from each such veterans' organizations, and when such representatives have been duly certified as such by the state department of any such veterans' organizations in the state of Minnesota.

(c) (3) In any court in the state of Minnesota which has jurisdiction of the parties to, and subject matter of, an action or proceeding therein pending, as found by said court, when required to be produced by the process of such court, and then only in open court, as evidence, in such action or proceeding after a judge thereof shall have ruled the same to be relevant and competent evidence in such action or proceeding according to the laws and statutes of said state.

(b) Notwithstanding section 382.16, and except as authorized in paragraph (c), no government entity may release the contents of, or any files, records, reports, papers, or documents pertaining to, United States government form DD214 or DD215 or any other certificate of discharge from military service to any person unless that person:

(1) provides proof of identity;

(2) demonstrates tangible interest; and

(3) completes the required release form prepared by the government entity.

(c) Nothing in this section shall prohibit release of forms DD214 and DD215 or other certificates of discharge from military service by an employee or official within a government entity to another employee or official within that government entity for purposes of performance of official duties.

(d) Forms DD214 and DD215 and certificates of discharge from military service filed with a government agency on or after January 1, 2004, are classified as private data on individuals under section 13.02, subdivision 12.

(e) Notwithstanding section 386.015, subdivision 5, no fee may be charged by a government entity for the release of information to a qualified person under this section.

(f) For purposes of paragraph (b), a person who has a tangible interest is:

(1) the subject of the record, report, paper, or document;

(2) the surviving spouse of the subject, if the subject is deceased;

(3) a surviving child of the subject, if the subject is deceased and there is no surviving spouse;

(4) a surviving parent of the subject, if the subject is deceased and there is no surviving spouse or surviving children; and

(5) a duly appointed guardian, an attorney in fact, or a duly authorized representative.

(g) For purposes of this section, the term "government entity" has the meaning given in section 13.02, subdivision 7a.

Sec. 17. Minnesota Statutes 2002, section 268.19, is amended by adding a subdivision to read:

Subdivision 1a. [WAGE DETAIL DATA.] (a) Wage and employment data gathered pursuant to section 268.044 may be disseminated to and used, without the consent of the subject of the data, by an agency of another state that is designated as the performance accountability and consumer information agency for that state pursuant to Code of Federal Regulations, volume 20, part 663.510(c), in order to carry out the requirements of the Workforce Investment Act of 1998, United States Code, title 29, sections 2842 and 2871.

(b) The commissioner may enter into a data exchange agreement with an employment and training service provider under section 116L.17, or the Workforce Investment Act of 1998, United States Code, title 29, section 2864, under which the commissioner, with the consent of the subject of the data, may furnish data on the quarterly wages paid and number of hours worked on those individuals who have received employment and training services from the provider. With the initial consent of the subject of the data, this data may be shared for up to three years after termination of the employment and training services provided to the individual without execution of an additional consent. This data shall be furnished solely for the purpose of evaluating the employment and training services provided. The data subject's ability to receive service is not affected by a refusal to give consent under this paragraph. The consent form must state this fact.

Sec. 18. Minnesota Statutes 2002, section 307.08, is amended by adding a subdivision to read:

Subd. 11. [BURIAL SITES DATA.] Burial sites locational and related data maintained by the office of the state archaeologist and accessible through the office's "Unplatted Burial Sites and Earthworks in Minnesota" Web site are security information for purposes of section 13.37. Persons who gain access to the data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.

Sec. 19. Minnesota Statutes 2002, section 349A.08, subdivision 9, is amended to read:

Subd. 9. [PRIVACY.] (a) The phone number and street address of a winner of a lottery prize is private data on individuals under chapter 13.

(b) Data on an individual, including name, physical and electronic address, and telephone number, that are given to the lottery for direct marketing purposes are private data on individuals as defined in section 13.02. For purposes of this subdivision, "direct marketing" means marketing conducted by the lottery directly with the consumer.

Sec. 20. Minnesota Statutes 2002, section 386.20, subdivision 1, is amended to read:

Subdivision 1. [RECORDATION.] (a) Certificates of discharge from the United States army, the United States navy, and the United States marine corps and releases or transfers from active duty therein may be recorded in the office of the county recorder of any county in this state by the person to whom such discharge, release or transfer was issued without the payment of any fee to the county recorder for recording the same. Upon the request of the

person having such instrument recorded, the county recorder shall not stamp, mark, or make any endorsement upon any such certificate of discharge, release or transfer, but after the recording thereof has been completed the recorder shall return the certificate of discharge, release, or transfer in the condition received.

(b) In any county where the compensation of the county recorder consists of fees only, the county recorder shall be entitled to a fee of 60 cents for recording such instrument, which shall be paid by the county upon presentation of a verified claim by the county recorder.

(c) The release of any information pertaining to military certificates of discharge is governed by section 196.08.

Sec. 21. [REPEALER.]

Minnesota Statutes 2002, sections 13.6401, subdivision 4; 270B.03, subdivision 8; Laws 2001, First Special Session chapter 10, article 2, section 40, are repealed.

Sec. 22. [EFFECTIVE DATE; APPLICATION.]

Section 3 is effective August 1, 2003, and applies to actions commenced on and after that date.

Sections 13, 16, and 20 are effective January 1, 2004.

Sections 12 and 19 are effective the day following final enactment."

Renumber the articles in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Biernat and Borrell moved to amend S. F. No. 1180, as amended, as follows:

Page 8 of the Borrell amendment, line 20, after "Service" insert "that is necessary"

Page 8 of the Borrell amendment, line 24, after the period, insert "This section does not preclude the obligation of the department of agriculture to appropriately inform consumers of issues that could affect public health."

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

Mahoney moved to amend S. F. No. 1180, as amended, as follows:

Page 11, after line 20, insert:

"Sec. 11. [PARKING STRUCTURE LEASE.]

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 5, or any other law to the contrary, the commissioner of administration may enter into a lease of surface, air, and utility rights for state-owned property in

the parking structure to be constructed in accordance with Laws 2002, chapters 393, section 13, subdivisions 7 and 8, and 400, section 13, for a term up to 50 years subject to termination rights for the state if the parking structure is scheduled to be demolished."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Biernat moved to amend S. F. No. 1180, as amended, as follows:

Page 9 of the Borrell amendment, after line 10, insert:

"Sec. 14. [13E.01] [DEFINITIONS.]

For purposes of this chapter, the terms "consumer," "financial institution," "nonaffiliated third party," "nonpublic personal information," and "joint agreement" have the meanings given in section 509 of the Gramm-Leach-Bliley Financial Services Modernization Act, codified as United States Code, title 15, section 6809, including any federal regulations implementing that section.

Sec. 15. [13E.02] [PRIVACY OF FINANCIAL DATA.]

Except as required by sections 13E.03 to 13E.05, which afford greater protection to consumers, every financial institution doing business in this state shall comply with sections 502 and 503 of the Gramm-Leach-Bliley Financial Services Modernization Act, codified as United States Code, title 15, sections 6802 and 6803 respectively, including any federal regulations issued under authority of section 504 of the act, codified as United States Code, title 15, section 6804.

Sec. 16. [13E.03] [DUTY OF CONFIDENTIALITY.]

A financial institution doing business in this state shall not disclose nonpublic personal information about a consumer to any nonaffiliated third party unless the disclosure is made in accordance with any of the following:

(1) pursuant to affirmative consent granted by the consumer in accordance with this chapter;

(2) pursuant to the exception in section 502(b)(2) of the Gramm-Leach-Bliley Financial Services Modernization Act, codified as United States Code, title 15, section 6802(b)(2), including any federal regulations issued to implement that section; or

(3) pursuant to an exception in section 502(e) of the Gramm-Leach-Bliley Financial Services Modernization Act, codified as United States Code, title 15, section 6802(e), including any federal regulations issued to implement that section.

Sec. 17. [13E.04] [AFFIRMATIVE CONSENT.]

Subdivision 1. [USE.] Affirmative consent must not be required as a condition of doing business with any financial institution. Any affirmative consent obtained from a consumer as a condition of doing business with a financial institution must not be deemed affirmative consent of the consumer for purposes of this chapter.

Subd. 2. [FORM.] Affirmative consent as required by this chapter must be in writing and signed by the consumer. The affirmative consent form signed by the consumer must be contained on a separate page that also clearly and conspicuously discloses the following:

(1) the time during which the consent will operate, which must not be longer than five years;

(2) each category of nonpublic personal information to be disclosed, including specifically, but without limitation, the consumer's social security number, account numbers, account balances, credit limits, the amount or date of any transaction, the identity of persons to whom the consumer's checks are made payable, and the identity of merchants or other persons honoring the consumer's credit cards; and

(3) the nonaffiliated third parties to whom disclosure may be made.

Sec. 18. [13E.05] [ACCESS TO AND CORRECTION OF NONPUBLIC PERSONAL INFORMATION.]

Subdivision 1. [ACCESS AND CORRECTION.] If a consumer submits a written request to a financial institution for access to nonpublic personal information held by the financial institution about the consumer, within 30 business days from the date the request is received, the financial institution shall:

(1) provide to the consumer in person, by regular mail, or by electronic mail a copy of all such nonpublic personal information, or a reasonably described portion of the information, whichever the consumer requests; and

(2) provide to the consumer a summary of the procedures by which the consumer may request correction, amendment, or deletion of nonpublic personal information.

If any nonpublic personal information is in coded or electronic form, an accurate translation in hard copy must be provided.

Subd. 2. [REASONABLE FEE.] A financial institution may charge a reasonable fee to copy nonpublic personal information provided under this section, provided the fee is clearly and conspicuously disclosed to the consumer. A financial institution may not charge for inspection of nonpublic personal information by the consumer.

Sec. 19. [13E.06] [REMEDIES.]

The attorney general may seek the remedies set forth in section 8.31, subdivision 3, against any financial institution in violation of this chapter.

Sec. 20. [13E.07] [OTHER LAW.]

This chapter does not limit any rights or remedies protecting the privacy of information that are available under other law."

Page 13 of the Borrell amendment, after line 21, insert:

"Sections 14 to 20 are effective July 1, 2004."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Biernat amendment and the roll was called. There were 62 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Eken	Jaros	Mahoney	Paymar	Thao
Anderson, J.	Ellison	Johnson, S.	Mariani	Pelowski	Thissen
Bernardy	Entenza	Juhnke	Marquart	Peterson	Urdahl
Biernat	Goodwin	Kahn	McNamara	Pugh	Vanderveer
Brod	Greiling	Koenen	Mullery	Rukavina	Wagenius
Carlson	Hausman	Larson	Murphy	Samuelson	Walker
Clark	Hilstrom	Latz	Nelson, C.	Sertich	Wasiluk
Cox	Hilty	Lenczewski	Nelson, M.	Severson	
Davnie	Hornstein	Lesch	Olsen, S.	Sieben	
Dill	Huntley	Lieder	Opatz	Slawik	
Dorn	Jacobson	Lindgren	Otto	Solberg	

Those who voted in the negative were:

Abeler	Demmer	Heidgerken	Lindner	Rhodes	Walz
Abrams	Dempsey	Holberg	Lipman	Ruth	Wardlow
Adolphson	Eastlund	Hoppe	Magnus	Seagren	Westerberg
Beard	Erhardt	Howes	Meslow	Seifert	Westrom
Blaine	Erickson	Johnson, J.	Nelson, P.	Simpson	Wilkin
Borrell	Finstad	Kielkucki	Nornes	Smith	Zellers
Boudreau	Fuller	Klinzing	Olson, M.	Soderstrom	Spk. Sviggum
Bradley	Gerlach	Knoblach	Osterman	Stang	
Buesgens	Gunther	Kohls	Ozment	Strachan	
Cornish	Haas	Krinkie	Paulsen	Swenson	
Davids	Hackbarth	Kuisle	Penas	Sykora	
DeLaForest	Harder	Lanning	Powell	Tingelstad	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend S. F. No. 1180, as amended, as follows:

Page 5, after line 16, insert:

"Sec. 5. [16B.561] [BICYCLE COMMUTING; USE BY STATE EMPLOYEES.]

Subdivision 1. [EMPLOYEE TRANSPORTATION PROGRAM.] To conserve energy, alleviate traffic congestion around state offices, improve employee health through increased physical activity, decrease demand for motor vehicle parking, and minimize the environmental impact of commuting by singly occupied motor vehicles, the commissioner must, in cooperation with the commissioners of transportation, health, and public service, and interested nonprofit agencies, establish and operate an employee transportation program promoting bicycle commuting by state employees. The commissioner must promote the maximum participation of state employees in the use of the bicycles for commuting.

Subd. 2. [CAPITAL INVESTMENT.] No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing bicycle commuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the commissioner.

Subd. 3. [FACILITY PROVISION.] (a) All state agencies may provide facilities which promote bicycle commuting by state employees. These facilities might include indoor or sheltered bicycle parking, high security bicycle parking, showers, and dressing areas for bikers.

(b) The commissioner of administration may install bicycle racks outside of all state-owned buildings that the commissioner determines state employees or members of the public travel to by bicycle. Costs of the bicycle racks may be paid for from state building repair and replacement accounts, from parking revenue collected under section 16B.58, or from other appropriations for this purpose.

(c) Paragraph (b) does not apply to buildings used by the Minnesota state colleges and universities, but each Minnesota state colleges and universities institution must provide bicycle racks that are sufficient to meet the needs of students, employees and members of the public.

Subd. 4. [SUBSIDIES.] State agencies providing a subsidy, direct or indirect, for singly occupied motor vehicle commuting by a state employee, including provision of parking at below local market rates, must make available an equal or greater subsidy for bicycle commuting by a state employee."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Davnie offered an amendment to S. F. No. 1180, as amended.

POINT OF ORDER

Borrell raised a point of order pursuant to rule 3.21 that the Davnie amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Davnie amendment out of order.

Davnie appealed the decision of Speaker pro tempore Abrams.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Abrams stand as the judgment of the House?" and the roll was called. There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, J.	Borrell	Brod	Cornish	DeLaForest
Abrams	Beard	Boudreau	Buesgens	Cox	Demmer
Adolphson	Blaine	Bradley	Clark	Davids	Dempsey

Dorman	Harder	Krinkie	Nornes	Seagren	Urdahl
Eastlund	Heidgerken	Kuisle	Olsen, S.	Seifert	Vandever
Erhardt	Holberg	Lanning	Olson, M.	Severson	Walz
Erickson	Hoppe	Lindgren	Osterman	Simpson	Wardlow
Finstad	Howes	Lindner	Ozment	Smith	Westerberg
Fuller	Jacobson	Lipman	Paulsen	Soderstrom	Westrom
Gerlach	Johnson, J.	Magnus	Penas	Stang	Wilkin
Goodwin	Kielkucki	McNamara	Powell	Strachan	Zellers
Gunther	Klinzing	Meslow	Rhodes	Swenson	Spk. Sviggum
Haas	Knoblach	Nelson, C.	Ruth	Sykora	
Hackbarth	Kohls	Nelson, P.	Samuelson	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Ellison	Jaros	Lesch	Opatz	Sieben
Atkins	Entenza	Johnson, S.	Lieder	Otto	Slawik
Bernardy	Greiling	Juhnke	Mahoney	Paymar	Solberg
Biernat	Hausman	Kahn	Mariani	Pelowski	Thao
Carlson	Hilstrom	Koenen	Marquart	Peterson	Thissen
Davnie	Hilty	Larson	Mullery	Pugh	Wagenius
Dill	Hornstein	Latz	Murphy	Rukavina	Walker
Eken	Huntley	Lenczewski	Nelson, M.	Sertich	Wasiluk

So it was the judgment of the House that the decision of Speaker pro tempore Abrams should stand.

Harder moved to amend S. F. No. 1180, as amended, as follows:

Page 8 of the Borrell amendment, delete section 11

The motion prevailed and the amendment was adopted.

S. F. No. 1180, A bill for an act relating to state government; department of administration; updating references; increasing the threshold project amount for designer selection board approval; modifying building code language; eliminating a report; amending Minnesota Statutes 2002, sections 16B.054; 16B.24, subdivisions 1, 5; 16B.33, subdivision 3; 16B.61, subdivision 1a; 16B.62, subdivision 1; 16C.10, subdivision 5; 16C.15; 16C.16, subdivision 7; 327A.01, subdivision 2; repealing Minnesota Statutes 2002, section 16C.18, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Borrell	Carlson	Davnie	Dorman
Abrams	Beard	Boudreau	Clark	DeLaForest	Dorn
Adolphson	Bernardy	Bradley	Cornish	Demmer	Eastlund
Anderson, I.	Biernat	Brod	Cox	Dempsey	Eken
Anderson, J.	Blaine	Buesgens	Davids	Dill	Ellison

Entenza	Hornstein	Larson	Nornes	Samuelson	Tingelstad
Erhardt	Howes	Latz	Olsen, S.	Seagren	Urdahl
Erickson	Huntley	Lenczewski	Olson, M.	Seifert	Vanderveer
Finstad	Jacobson	Lesch	Opatz	Sertich	Wagenius
Fuller	Jaros	Lieder	Osterman	Severson	Walker
Gerlach	Johnson, J.	Lindgren	Otto	Sieben	Walz
Goodwin	Johnson, S.	Lindner	Ozment	Simpson	Wardlow
Greiling	Juhnke	Lipman	Paulsen	Slawik	Wasiluk
Gunther	Kahn	Magnus	Paymar	Smith	Westerberg
Haas	Kielkucki	Marquart	Pelowski	Soderstrom	Westrom
Hackbarth	Klinzing	McNamara	Penas	Solberg	Wilkin
Harder	Knoblach	Meslow	Peterson	Stang	Zellers
Heidgerken	Koenen	Mullery	Powell	Strachan	Spk. Sviggum
Hilstrom	Kohls	Murphy	Pugh	Swenson	
Hilty	Krinkie	Nelson, C.	Rhodes	Sykora	
Holberg	Kuisle	Nelson, M.	Rukavina	Thao	
Hoppe	Lanning	Nelson, P.	Ruth	Thissen	

Those who voted in the negative were:

Hausman	Mahoney	Mariani
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The bill was passed, as amended, and its title agreed to.

H. F. No. 169 was reported to the House.

Lipman moved to amend H. F. No. 169 as follows:

Pages 1 and 2, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 169, A bill for an act relating to trusts; providing for memorial fund trusts; changing an application provision; providing for agreements; clarifying procedures; providing an effective date; amending Minnesota Statutes 2002, section 501B.14, subdivision 3; Laws 2002, chapter 347, section 5; proposing coding for new law in Minnesota Statutes, chapter 501B.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Beard	Blaine	Bradley	Carlson
Abrams	Anderson, J.	Bernardy	Borrell	Brod	Clark
Adolphson	Atkins	Biernat	Boudreau	Buesgens	Cornish

Cox	Greiling	Kahn	Mariani	Penas	Strachan
Davids	Gunther	Kielkucki	Marquart	Peterson	Swenson
Davnie	Haas	Klinzing	McNamara	Powell	Sykora
DeLaForest	Hackbarth	Knoblach	Meslow	Pugh	Thao
Demmer	Harder	Koenen	Mullery	Rhodes	Thissen
Dempsey	Hausman	Kohls	Murphy	Rukavina	Tingelstad
Dill	Heidgerken	Krinkie	Nelson, C.	Ruth	Urdahl
Dorman	Hilstrom	Kuisle	Nelson, M.	Samuelson	Vandever
Dorn	Hilty	Lanning	Nelson, P.	Seagren	Wagenius
Eastlund	Holberg	Larson	Nornes	Seifert	Walker
Eken	Hoppe	Latz	Olsen, S.	Sertich	Walz
Ellison	Hornstein	Lenczewski	Olson, M.	Severson	Wardlow
Entenza	Howes	Lesch	Opatz	Sieben	Wasiluk
Erhardt	Huntley	Lieder	Osterman	Simpson	Westerberg
Erickson	Jacobson	Lindgren	Otto	Slawik	Westrom
Finstad	Jaros	Lindner	Ozment	Smith	Wilkin
Fuller	Johnson, J.	Lipman	Paulsen	Soderstrom	Zellers
Gerlach	Johnson, S.	Magnus	Paymar	Solberg	Spk. Sviggum
Goodwin	Juhnke	Mahoney	Pelowski	Stang	

The bill was passed, as amended, and its title agreed to.

Seifert moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 293, A bill for an act relating to municipalities; allowing the prescribing of certain fees by a fee schedule; amending Minnesota Statutes 2002, section 462.353, subdivision 4, by adding a subdivision.

H. F. No. 671, A bill for an act relating to telecommunications; regulating promotions and packages of telephone company services; removing sunset expiration dates for alternative regulation plans for telecommunications providers and highway weight limit exemptions for utility vehicles; amending Minnesota Statutes 2002, section 237.626; Laws 1995, chapter 156, section 25; Laws 2002, chapter 433, section 4.

H. F. No. 723, A bill for an act relating to traffic regulations; exempting occupants of certain motor vehicles from seat belt law; amending Minnesota Statutes 2002, section 169.686, subdivision 2.

H. F. No. 741, A bill for an act relating to commerce; regulating advertising by motor vehicle dealers; amending Minnesota Statutes 2002, section 168.27, subdivision 26.

H. F. No. 894, A bill for an act relating to property; modifying provisions relating to certificates of title to manufactured homes; amending Minnesota Statutes 2002, sections 168A.141; 507.24, subdivision 2.

PATRICE DWORAK, First Assistant Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 677, A bill for an act relating to occupations and professions; modifying licensure requirements for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers; amending Minnesota Statutes 2002, sections 326.10, by adding subdivisions; 326.107, subdivisions 4, 8; repealing Minnesota Statutes 2002, sections 326.10, subdivision 5; 326.107, subdivisions 6, 9.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICE DWORAK, First Assistant Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1119, A bill for an act relating to elections; changing certain deadlines, procedures, requirements, and provisions; appropriating money; amending Minnesota Statutes 2002, sections 5.08; 15.0597, subdivisions 2, 3, 4, 5, 6, 7; 15.0599, subdivision 4; 126C.17, subdivision 9; 201.061, subdivision 3; 201.071, subdivision 3; 201.161; 201.1611, subdivision 1; 201.171; 201.221, subdivision 3; 201.275; 202A.14, subdivision 3; 203B.085; 203B.11, subdivision 1; 203B.125; 204B.06, subdivision 1; 204B.07, subdivision 2; 204B.09, subdivisions 1, 3; 204B.13, subdivision 6; 204B.14, subdivision 2; 204B.16, subdivision 3; 204B.18, subdivision 1; 204B.19, subdivisions 1, 6, by adding a subdivision; 204B.21, subdivisions 1, 2; 204B.22, by adding a subdivision; 204B.34, subdivision 3; 204B.36, subdivision 4; 204B.41; 204C.06, by adding a subdivision; 204C.10; 204C.12, subdivision 4; 204C.15, subdivision 1; 204C.20, subdivision 2; 204C.28, subdivision 1; 204C.33, subdivision 1; 204C.35, by adding a subdivision; 204C.36, subdivisions 1, 3, by adding a subdivision; 204C.361; 204D.14, by adding a subdivision; 204D.27, subdivision 11; 205.02, subdivision 1; 205.075, by adding a subdivision; 205.16, subdivision 4, by adding a subdivision; 205.185, subdivisions 2, 3; 205A.02; 205A.07, subdivision 3, by adding a subdivision; 206.58, subdivision 1; 206.81; 206.90, subdivision 6; 211A.02, by adding a subdivision; 351.01, subdivision 4; 365.51, subdivision 3; 367.12; 375.101, subdivision 1; 414.041, subdivision 1; 447.32, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapters 5; 204D.

The Senate has appointed as such committee:

Senators Higgins, Scheid and Kleis.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 388, A bill for an act relating to vehicle forfeiture; clarifying and modifying certain definitions, standards, and procedures for vehicle forfeitures associated with driving while impaired; amending Minnesota Statutes 2002, sections 169A.60, subdivisions 1, 14; 169A.63, subdivisions 1, 2, 6, 7, 8, 9, 10, 11.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Foley, Skoglund and McGinn.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICE DWORAK, First Assistant Secretary of the Senate

Fuller moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 388. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 805 and 343.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 805, A bill for an act relating to local government; providing for special assessments for reinspections; amending Minnesota Statutes 2002, section 429.101, subdivision 1.

The bill was read for the first time.

Smith moved that S. F. No. 805 and H. F. No. 1396, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 343, A bill for an act relating to insurance; requiring health plan companies to file reports with respect to certain costs; amending Minnesota Statutes 2002, section 62Q.64.

The bill was read for the first time.

Sertich moved that S. F. No. 343 and H. F. No. 134, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 388:

Fuller, Meslow and Lesch.

CALENDAR FOR THE DAY

S. F. No. 1019 was reported to the House.

There being no objection, S. F. No. 1019 was temporarily laid over on the Calendar for the Day.

S. F. No. 1158, A bill for an act relating to public safety; modifying provisions relating to DWI breath-testing instruments; amending Minnesota Statutes 2002, sections 169A.03, subdivision 11; 169A.45, subdivision 4; 169A.51, subdivision 5; 169A.75; 360.0753, subdivision 4; 634.16.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Soderstrom
Abrams	Dempsey	Hilty	Latz	Osterman	Solberg
Adolphson	Dill	Holberg	Lenczewski	Otto	Stang
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Strachan
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Swenson
Atkins	Eastlund	Howes	Lindgren	Paymar	Sykora
Beard	Eken	Huntley	Lindner	Pelowski	Thao
Bernardy	Ellison	Jacobson	Lipman	Penas	Thissen
Biernat	Entenza	Jaros	Magnus	Peterson	Tingelstad
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Urdahl
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Vandever
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Wagenius
Bradley	Fuller	Kahn	McNamara	Rukavina	Walker
Brod	Gerlach	Kelliher	Meslow	Ruth	Walz
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Wardlow
Carlson	Greiling	Klinzing	Murphy	Seagren	Wasiluk
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Westerberg
Cornish	Haas	Koenen	Nelson, M.	Severson	Westrom
Cox	Hackbarth	Kohls	Nelson, P.	Sieben	Wilkin
Davids	Harder	Krinkie	Nornes	Simpson	Zellers
Davnie	Hausman	Kuisle	Olsen, S.	Slawik	Spk. Sviggum
DeLaForest	Heidgerken	Lanning	Olson, M.	Smith	

Those who voted in the negative were:

Sertich

The bill was passed and its title agreed to.

S. F. No. 964 was reported to the House.

Lipman moved to amend S. F. No. 964 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1278, the first engrossment:

"Section 1. Minnesota Statutes 2002, section 13.821, is amended to read:

13.821 [VIDEOTAPES OF CHILD ABUSE VICTIMS.]

(a) Notwithstanding section 13.04, subdivision 3, an individual subject of data may not obtain a copy of a videotape in which a child victim or alleged victim is alleging, explaining, denying, or describing an act of physical or sexual abuse without a court order under section 13.03, subdivision 6, or 611A.90. The definitions of physical abuse and sexual abuse in section 626.556, subdivision 2, apply to this section, except that abuse is not limited to acts by a person responsible for the child's care or in a significant relationship with the child or position of authority.

(b) This section does not limit other rights of access to data by an individual under section 13.04, subdivision 3, other than the right to obtain a copy of the videotape, nor ~~limit~~ prohibit rights of access pursuant to discovery in a court proceeding.

Sec. 2. Minnesota Statutes 2002, section 243.166, subdivision 4a, is amended to read:

Subd. 4a. [INFORMATION REQUIRED TO BE PROVIDED.] (a) As used in this section:

(1) "motor vehicle" has the meaning given "vehicle" in section 169.01, subdivision 2;

(2) "primary residence" means any place where the person resides longer than 14 days or that is deemed a primary residence by a person's corrections agent, if one is assigned to the person; and

(3) "secondary residence" means any place where the person regularly stays overnight when not staying at the person's primary residence, and includes, but is not limited to:

(i) the person's parent's home if the person is a student and stays at the home at times when the person is not staying at school, including during the summer; and

(ii) the home of someone with whom the person has a minor child in common where the child's custody is shared.

(b) A person required to register under this section shall provide to the corrections agent or law enforcement authority the following information:

(1) the address of the person's primary residence;

(2) the addresses of all the person's secondary residences in Minnesota, including all addresses used for residential or recreational purposes;

(3) the addresses of all Minnesota property owned, leased, or rented by the person;

(4) the addresses of all locations where the person is employed;

(5) the addresses of all residences where the person resides while attending school; and

(6) the year, model, make, license plate number, and color of all motor vehicles owned or regularly driven by the person. "~~Motor vehicle~~" has the meaning given "~~vehicle~~" in section 169.01, subdivision 2.

~~(b)~~ (c) The person shall report to the agent or authority the information required to be provided under paragraph ~~(a)~~ (b), clauses (2) to (6), within five days of the date the clause becomes applicable. If because of a change in circumstances a clause no longer applies to previously reported information, the person shall immediately inform the agent or authority that the information is no longer valid.

Sec. 3. Minnesota Statutes 2002, section 609.35, is amended to read:

609.35 [COSTS OF MEDICAL EXAMINATION.]

(a) Costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a ~~complainant~~ victim of criminal sexual conduct when the examination is performed for the purpose of gathering evidence shall be paid by the county in which the ~~alleged offense was committed~~ criminal sexual conduct occurred. ~~Reasonable~~ These costs ~~of the examination~~ include, but are not limited to, full cost of the rape kit examination, associated tests relating to the complainant's sexually transmitted disease status, and pregnancy status.

(b) Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private. However, a county may seek insurance reimbursement from the victim's insurer only if authorized by the victim. This authorization may only be sought after the examination is performed. When seeking this authorization, the county shall inform the victim that if the victim does not authorize this, the county is required by law to pay for the examination and that the victim is in no way liable for these costs or obligated to authorize the reimbursement.

(c) The applicability of this section does not depend upon whether the victim reports the offense to law enforcement or the existence or status of any investigation or prosecution.

Sec. 4. Minnesota Statutes 2002, section 611A.03, subdivision 1, is amended to read:

Subdivision 1. [PLEA AGREEMENTS; NOTIFICATION OF VICTIM.] Prior to the entry of the factual basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall make a reasonable and good faith effort to inform the victim of:

(a) the contents of the plea agreement recommendation, including the amount of time recommended for the defendant to serve in jail or prison if the court accepts the agreement; and

(b) the right to be present at the sentencing hearing and at the hearing during which the plea is presented to the court and to express orally or in writing, at the victim's option, any objection to the agreement or to the proposed disposition. If the victim is not present when the court considers the recommendation, but has communicated objections to the prosecuting attorney, the prosecuting attorney shall make these objections known to the court.

Sec. 5. [611A.0301] [RIGHT TO SUBMIT STATEMENT AT PLEA PRESENTATION HEARING.]

A victim has the rights described in section 611A.03, subdivision 1, paragraph (b), at a plea presentation hearing.

Sec. 6. [634.35] [VIDEOTAPES OF CHILD VICTIMS; CONDITIONS OF DISCLOSURE.]

(a) If a videotaped interview of a child victim of physical or sexual abuse is disclosed by a prosecuting attorney to a defendant or the defendant's attorney, the following applies:

(1) no more than two copies of the tape or any portion of the tape may be made by the defendant or the defendant's attorney, investigator, expert, or any other representative or agent of the defendant;

(2) the tapes may not be used for any purpose other than to prepare for the defense in the criminal action against the defendant;

(3) the tapes may not be publicly exhibited, shown, displayed, used for educational, research, or demonstrative purposes, or used in any other fashion, except in judicial proceedings in the criminal action against the defendant;

(4) the tapes may be viewed only by the defendant, the defendant's attorney, and the attorney's employees, investigators, and experts;

(5) no transcript of the tapes, nor the substance of any portion of the tapes, may be divulged to any person not authorized to view the tapes;

(6) no person may be granted access to the tapes, any transcription of the tapes, or the substance of any portion of the tapes unless the person has first signed a written agreement that the person is aware of this statute and acknowledges that the person is subject to the court's contempt powers for any violation of it; and

(7) upon final disposition of the criminal case against the defendant, the tapes and any transcripts of the tapes must be returned to the prosecuting attorney.

(b) The court may hold a person who violates this section in contempt.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective August 1, 2003, and apply to crimes committed and persons subject to registration on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; defining terms in the predatory offender registration law; allowing crime victims to have input earlier in the plea process; imposing conditions on the disclosure of videotaped interviews of child abuse victims; clarifying the rape examination law; amending Minnesota Statutes 2002, sections 13.821; 243.166, subdivision 4a; 609.35; 611A.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 611A; 634."

The motion prevailed and the amendment was adopted.

S. F. No. 964, A bill for an act relating to crime prevention; allowing crime victims to have input earlier in the plea agreement process; imposing conditions on the disclosure of videotaped interviews of child abuse victims; clarifying the rape examination law; amending Minnesota Statutes 2002, sections 13.821; 609.35; 611A.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 611A; 634.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Smith
Abrams	Dempsey	Hilty	Latz	Osterman	Soderstrom
Adolphson	Dill	Holberg	Lenczewski	Otto	Solberg
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Stang
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Strachan
Atkins	Eastlund	Howes	Lindgren	Paymar	Swenson
Beard	Eken	Huntley	Lindner	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Lipman	Penas	Thao
Biernat	Entenza	Jaros	Magnus	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Urdahl
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Vandever
Bradley	Fuller	Kahn	McNamara	Rukavina	Wagenius
Brod	Gerlach	Kelliher	Meslow	Ruth	Walker
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Walz
Carlson	Greiling	Klinzing	Murphy	Seagren	Wardlow
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Wasiluk
Cornish	Haas	Koenen	Nelson, M.	Sertich	Westerberg
Cox	Hackbarth	Kohls	Nelson, P.	Severson	Westrom
Davids	Harder	Krinkie	Nornes	Sieben	Wilkin
Davnie	Hausman	Kuisle	Olsen, S.	Simpson	Zellers
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

S. F. No. 421 was reported to the House.

Hornstein moved to amend S. F. No. 421 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 389, the first engrossment:

"Section 1. [CITY OF MINNEAPOLIS; UNCLASSIFIED SERVICE.]

Notwithstanding a provision of the Minneapolis city charter, civil service rule, or a general or special law or rule to the contrary, the Minneapolis city council may by ordinance establish positions in the unclassified service of the city of Minneapolis and may authorize terms and conditions of employment for the positions. Positions established under this section must meet the following criteria:

(1) the person occupying the position must report directly to the head of a city department or the department head's deputy;

(2) the person occupying the position must be part of the department head's management team;

(3) the duties of the position must involve significant discretion and substantial involvement in the development, interpretation, or implementation of city or department policy;

(4) the duties of the position must not primarily require technical expertise for which continuity in the position would be significant; and

(5) there is a need for the person occupying the position to be accountable and loyal to, and compatible with, the mayor, the city council, and the department head.

The city council may establish positions in the unclassified service only if it determines that the criteria in this section have been met.

Sec. 2. [CITY CHARTER.]

Section 1 does not apply to a department head position appointed under authority contained in the Minneapolis city charter.

Sec. 3. [EFFECTIVE DATE; LOCAL APPROVAL.]

Sections 1 and 2 are effective 90 days after the Minneapolis city council and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

The motion prevailed and the amendment was adopted.

S. F. No. 421, A bill for an act relating to the city of Minneapolis; providing for the establishment of certain positions in the unclassified service of the city of Minneapolis by the Minneapolis city council.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gunther	Kelliher	Marquart	Peterson
Abrams	Davnie	Haas	Kielkucki	McNamara	Powell
Adolphson	DeLaForest	Hackbarth	Klinzing	Meslow	Pugh
Anderson, I.	Demmer	Harder	Knoblach	Mullery	Rhodes
Anderson, J.	Dempsey	Hausman	Koenen	Murphy	Rukavina
Atkins	Dill	Heidgerken	Kohls	Nelson, C.	Ruth
Beard	Dorman	Hilstrom	Krinkie	Nelson, M.	Samuelson
Bernardy	Dorn	Hilty	Kuisle	Nelson, P.	Seagren
Biernat	Eastlund	Holberg	Lanning	Nornes	Seifert
Blaine	Eken	Hoppe	Larson	Olsen, S.	Sertich
Borrell	Ellison	Hornstein	Latz	Olson, M.	Severson
Boudreau	Entenza	Howes	Lenczewski	Opatz	Sieben
Bradley	Erhardt	Huntley	Lesch	Osterman	Simpson
Brod	Erickson	Jacobson	Lieder	Otto	Slawik
Buesgens	Finstad	Jaros	Lindgren	Ozment	Smith
Carlson	Fuller	Johnson, J.	Lindner	Paulsen	Soderstrom
Clark	Gerlach	Johnson, S.	Magnus	Paymar	Solberg
Cornish	Goodwin	Juhnke	Mahoney	Pelowski	Stang
Cox	Greiling	Kahn	Mariani	Penas	Strachan

Swenson	Thissen	Vandev eer	Walz	Westerberg	Zellers
Sykora	Tingelstad	Wagenius	Wardlow	Westrom	Spk. Sviggum
Thao	Urdahl	Walker	Wasiluk	Wilkin	

The bill was passed, as amended, and its title agreed to.

There being no objection, S. F. No. 770 was reported to the House.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Abrams moved that the rule therein be suspended and an urgency be declared so that S. F. No. 770 be given its third reading and be placed upon its final passage. The motion prevailed.

Abrams moved that the Rules of the House be so far suspended that S. F. No. 770 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 770, A bill for an act relating to Hennepin county; removing its medical center and its health maintenance organization from certain contracting requirements; amending Minnesota Statutes 2002, section 383B.217, subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Smith
Abrams	Dempsey	Hilty	Latz	Osterman	Soderstrom
Adolphson	Dill	Holberg	Lenczewski	Otto	Solberg
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Stang
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Strachan
Atkins	Eastlund	Howes	Lindgren	Paymar	Swenson
Beard	Eken	Huntley	Lindner	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Lipman	Penas	Thao
Biernat	Entenza	Jaros	Magnus	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Urdahl
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Vandev eer
Bradley	Fuller	Kahn	McNamara	Rukavina	Wagenius
Brod	Gerlach	Kelliher	Meslow	Ruth	Walker
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Walz
Carlson	Greiling	Klinzing	Murphy	Seagren	Wardlow
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Wasiluk
Cornish	Haas	Koenen	Nelson, M.	Sertich	Westerberg
Cox	Hackbarth	Kohls	Nelson, P.	Severson	Westrom
Davids	Harder	Krinkie	Nornes	Sieben	Wilkin
Davnie	Hausman	Kuisle	Olsen, S.	Simpson	Zellers
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	Spk. Sviggum

The bill was passed and its title agreed to.

S. F. No. 1019, which was temporarily laid over earlier today on the Calendar for the Day, was again reported to the House.

S. F. No. 1019, A bill for an act relating to health; establishing a reporting system for adverse health care events; amending Minnesota Statutes 2002, section 145.64, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Smith
Abrams	Dempsey	Hilty	Latz	Osterman	Soderstrom
Adolphson	Dill	Holberg	Lenczewski	Otto	Solberg
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Stang
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Strachan
Atkins	Eastlund	Howes	Lindgren	Paymar	Swenson
Beard	Eken	Huntley	Lindner	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Lipman	Penas	Thao
Biernat	Entenza	Jaros	Magnus	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Urdahl
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Vandever
Bradley	Fuller	Kahn	McNamara	Rukavina	Wagenius
Brod	Gerlach	Kelliher	Meslow	Ruth	Walker
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Walz
Carlson	Greiling	Klinzing	Murphy	Seagren	Wardlow
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Wasiluk
Cornish	Haas	Koenen	Nelson, M.	Sertich	Westerberg
Cox	Hackbarth	Kohls	Nelson, P.	Severson	Westrom
Davids	Harder	Krinkie	Nornes	Sieben	Wilkin
Davnie	Hausman	Kuisle	Olsen, S.	Simpson	Zellers
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	Spk. Sviggum

The bill was passed and its title agreed to.

S. F. No. 230 was reported to the House.

Biernat moved to amend S. F. No. 230 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 264, the second engrossment:

"Section 1. Minnesota Statutes 2002, section 504B.401, is amended to read:

504B.401 [SUMMONS.]

Subdivision 1. [CONTENTS.] (a) On receipt of the complaint in section 504B.395, the court administrator shall prepare a summons. The summons shall:

(1) specify the time and place of the hearing to be held on the complaint; and

(2) state that if at the time of the hearing a defense is not interposed and established by the landlord, judgment may be entered for the relief requested and authorized by sections 504B.381 and 504B.395 to 504B.471.

(b) The hearing must be scheduled not less than ~~five~~ seven nor more than ~~ten~~ 14 days after receipt of the complaint by the court administrator.

Subd. 2. [SERVICE.] The summons and complaint must be served upon the landlord or the landlord's agent not less than ~~five~~ seven nor more than ~~ten~~ 14 days before the hearing. Service shall be by personal service upon the defendant pursuant to the Minnesota Rules of Civil Procedure. If personal service cannot be made with due diligence, service may be made by affixing a copy of the summons and complaint prominently to the residential building involved, and mailing at the same time a copy of the summons and complaint by certified mail to the last known address of the landlord."

The motion prevailed and the amendment was adopted.

S. F. No. 230, A bill for an act relating to landlords and tenants; modifying the time period for serving a summons and scheduling a hearing for a housing violation; amending Minnesota Statutes 2002, section 504B.401.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Smith
Abrams	Dempsey	Hilty	Latz	Osterman	Soderstrom
Adolphson	Dill	Holberg	Lenczewski	Otto	Solberg
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Stang
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Strachan
Atkins	Eastlund	Howes	Lindgren	Paymar	Swenson
Beard	Eken	Huntley	Lindner	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Lipman	Penas	Thao
Biernat	Entenza	Jaros	Magnus	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Urdahl
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Vandever
Bradley	Fuller	Kahn	McNamara	Rukavina	Wagenius
Brod	Gerlach	Kelliher	Meslow	Ruth	Walker
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Walz
Carlson	Greiling	Klinzing	Murphy	Seagren	Wardlow
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Wasiluk
Cornish	Haas	Koenen	Nelson, M.	Sertich	Westerberg
Cox	Hackbarth	Kohls	Nelson, P.	Severson	Westrom
Davids	Harder	Krinkie	Nornes	Sieben	Wilkin
Davnie	Hausman	Kuise	Olsen, S.	Simpson	Zellers
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	Spk. Sviggum

The bill was passed, as amended, and its title agreed to.

S. F. No. 39, A bill for an act relating to health; allowing application for designation as an essential community provider; amending Minnesota Statutes 2002, section 62Q.19, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hilstrom	Larson	Opatz	Smith
Abrams	Dempsey	Hilty	Latz	Osterman	Soderstrom
Adolphson	Dill	Holberg	Lenczewski	Otto	Solberg
Anderson, I.	Dorman	Hoppe	Lesch	Ozment	Stang
Anderson, J.	Dorn	Hornstein	Lieder	Paulsen	Strachan
Atkins	Eastlund	Howes	Lindgren	Paymar	Swenson
Beard	Eken	Huntley	Lindner	Pelowski	Sykora
Bernardy	Ellison	Jacobson	Lipman	Penas	Thao
Biernat	Entenza	Jaros	Magnus	Peterson	Thissen
Blaine	Erhardt	Johnson, J.	Mahoney	Powell	Tingelstad
Borrell	Erickson	Johnson, S.	Mariani	Pugh	Urdahl
Boudreau	Finstad	Juhnke	Marquart	Rhodes	Vandever
Bradley	Fuller	Kahn	McNamara	Rukavina	Wagenius
Brod	Gerlach	Kelliher	Meslow	Ruth	Walker
Buesgens	Goodwin	Kielkucki	Mullery	Samuelson	Walz
Carlson	Greiling	Klinzing	Murphy	Seagren	Wardlow
Clark	Gunther	Knoblach	Nelson, C.	Seifert	Wasiluk
Cornish	Haas	Koenen	Nelson, M.	Sertich	Westerberg
Cox	Hackbarth	Kohls	Nelson, P.	Severson	Westrom
Davids	Harder	Krinkie	Nornes	Sieben	Wilkin
Davnie	Hausman	Kuisle	Olsen, S.	Simpson	Zellers
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	Spk. Sviggum

The bill was passed and its title agreed to.

S. F. No. 308 was reported to the House.

Rukavina moved to amend S. F. No. 308 as follows:

Page 2, delete lines 33 to 36

The motion prevailed and the amendment was adopted.

S. F. No. 308, A bill for an act relating to mining; specifying duties of owners and operators when operations are discontinued; amending Minnesota Statutes 2002, section 93.003.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Heidgerken	Latz	Otto	Soderstrom
Abrams	Dempsey	Hilstrom	Lenczewski	Ozment	Solberg
Adolphson	Dill	Hilty	Lesch	Paulsen	Stang
Anderson, I.	Dorman	Hoppe	Lieder	Paymar	Strachan
Anderson, J.	Dorn	Hornstein	Lindgren	Pelowski	Swenson
Atkins	Eastlund	Howes	Lipman	Penas	Sykora
Beard	Eken	Huntley	Magnus	Peterson	Thao
Bernardy	Ellison	Jacobson	Mahoney	Powell	Thissen
Biernat	Entenza	Jaros	Mariani	Pugh	Tingelstad
Blaine	Erhardt	Johnson, J.	Marquart	Rhodes	Urdahl
Boudreau	Erickson	Johnson, S.	McNamara	Rukavina	Vandevor
Bradley	Finstad	Juhnke	Meslow	Ruth	Wagenius
Brod	Fuller	Kahn	Mullery	Samuelson	Walker
Buesgens	Gerlach	Kelliher	Murphy	Seagren	Walz
Carlson	Goodwin	Kielkucki	Nelson, C.	Seifert	Wardlow
Clark	Greiling	Klinzing	Nelson, M.	Sertich	Wasiluk
Cornish	Gunther	Koenen	Nelson, P.	Severson	Westerberg
Cox	Haas	Kohls	Nornes	Sieben	Westrom
Davids	Hackbarth	Kuisle	Olsen, S.	Simpson	Wilkin
Davnie	Harder	Lanning	Opatz	Slawik	Zellers
DeLaForest	Hausman	Larson	Osterman	Smith	Spk. Sviggum

Those who voted in the negative were:

Borrell	Holberg	Knoblach	Krinkie	Lindner	Olson, M.
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The bill was passed, as amended, and its title agreed to.

REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that the Chief Clerk is directed to correct and approve the Journal of the House for May 19, 2003. The Chief Clerk is authorized to include in the Journal for May 19, 2003, any proceedings including subsequent proceedings and any legislative interim committees or commissions created or appointments made to them by legislative actions or by law.

The motion prevailed and the report was adopted.

Paulsen, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that while it is adjourned during the 83rd Legislature, it retains the use of parking lots B, C, D, P, O, N, and X, and the state office building parking ramp, for members and employees of the House of Representatives. The Chief Sergeant at Arms is directed to manage the use of the lots and ramp while the House of Representatives is adjourned.

The motion prevailed and the report was adopted.

Paulsen, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that while it is adjourned during the 83rd Legislature, the Chief Clerk and Chief Sergeant at Arms under the direction of the Speaker shall maintain House facilities in the Capitol complex. The House Chamber, Retiring Room, hearing and conference rooms, and offices shall be set up and made ready for legislative use and reserved for the House and its committees. Those rooms may be reserved for uses by others that are not in conflict with use by the House. The House Chamber, Retiring Room, and hearing rooms may be used by the Territorial Pioneers, YMCA Youth in Government, Girls' State, Young Leaders Organization, National Forensics League, and 4-H Leadership Conference.

The motion prevailed and the report was adopted.

Dauids was excused for the remainder of today's session.

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Boudreau.

Clark was excused for the remainder of today's session.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 151, A bill for an act relating to human services; exempting children eligible for adoption assistance from the prepaid medical assistance program; amending Minnesota Statutes 2002, section 256B.69, subdivision 4.

H. F. No. 988, A bill for an act relating to transportation; authorizing commissioner of transportation to replace railroad lands needed for a trunk highway; amending Minnesota Statutes 2002, section 161.241, subdivision 1.

PATRICE DWORAK, First Assistant Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 326, A bill for an act relating to health; modifying dental practice provisions; amending Minnesota Statutes 2002, sections 150A.06, subdivisions 1a, 3, by adding a subdivision; 150A.10, subdivision 1a, by adding a subdivision; 256B.55, subdivisions 3, 4, 5.

The Senate has appointed as such committee:

Senators Lourey, Higgins and Kiscaden.

Said House File is herewith returned to the House.

PATRICE DWORAK, First Assistant Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1597, A bill for an act relating to financing and operation of state and local government; providing for job opportunity building zones; providing for a biotechnology and health services industry zone; changing income, corporate franchise, estate, sales and use, motor vehicle sales, property, minerals, gravel, cigarette and tobacco, liquor, mortgage registry and deed, healthcare provider, insurance premiums, hazardous waste generator, and other taxes and tax provisions; changing and providing powers and duties relating to tax administration, collection, compliance, and enforcement; updating provisions to the internal revenue code; changing provisions relating to the state elections campaign fund; changing June accelerated tax liability provisions and extending the requirements to other taxes; changing and providing for intergovernmental aids; imposing levy limits; changing truth in taxation provisions and providing for reverse referenda; providing for economic development incentives; changing tax increment financing provisions; changing certain levy and other provisions relating to the metropolitan council and the metropolitan mosquito control district; authorizing towns to impose certain charges; giving special powers to the cities of Medford, Newport, Moorhead, Duluth, and Hopkins; repealing certain local laws; establishing a legislative commission on unnecessary mandates; providing for funding adjustments for certain state mandated programs; changing provisions relating to local impact notes; abolishing or providing for the expiration of certain funds and accounts; providing for cash flow and budget reserve accounts; providing for deposit of certain revenues in the general fund; providing for data disclosure; requiring studies and reports; providing for appointments; authorizing grants; imposing penalties; appropriating money; amending Minnesota Statutes 2002, sections 3.842, subdivision 4a; 3.843; 3.986, subdivision 4; 3.987, subdivision 1; 4A.02; 8.30; 10A.31, subdivisions 1, 3; 16A.152, subdivisions 1, 1b, 2, 7; 62J.694, subdivision 4; 115B.24, subdivision 8; 144.395, subdivision 3; 161.465; 168.27, subdivision 4a; 168A.03; 168A.05, subdivision 1a; 216B.2424, subdivision 5; 270.06; 270.10, subdivision 1a; 270.60, subdivision 4; 270.67, subdivision 4; 270.69, by adding a subdivision; 270.701, subdivision 2, by adding a subdivision; 270.72, subdivision 2; 270A.03, subdivision 2; 270B.12, by adding a subdivision; 272.02, subdivisions 31, 47, 48, 53, by adding subdivisions; 272.029, by adding a subdivision; 272.12; 273.01; 273.05,

subdivision 1; 273.061, by adding subdivisions; 273.08; 273.11, subdivision 1a; 273.112, subdivision 3; 273.124, subdivisions 1, 14; 273.13, subdivisions 22, 23, 25; 273.1398, subdivisions 4a, 4b, 4c, 6, 8; 273.372; 273.42, subdivision 2; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivisions 1, 3, 4; 275.065, subdivisions 1, 1a, 1c, 3, 6, 8, by adding a subdivision; 275.07, subdivision 1; 275.70, subdivision 5; 275.71, subdivisions 2, 4, 5, 6; 275.72, subdivision 3; 275.73, subdivision 2; 275.74, subdivision 3; 276.10; 276.11, subdivision 1; 277.20, subdivision 2; 278.01, subdivision 4; 278.05, subdivision 6; 279.06, subdivision 1; 281.17; 282.01, subdivision 7a; 282.08; 287.12; 287.29, subdivision 1; 287.31, by adding a subdivision; 289A.02, subdivision 7; 289A.10, subdivision 1; 289A.18, subdivision 4; 289A.19, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivisions 3, 4, 7, by adding a subdivision; 289A.36, subdivision 7, by adding subdivisions; 289A.40, subdivision 2; 289A.50, subdivision 2a, by adding subdivisions; 289A.56, subdivisions 3, 4; 289A.60, subdivisions 7, 15, by adding a subdivision; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 29, 31; 290.05, subdivision 1; 290.06, subdivisions 2c, 23, 24, by adding subdivisions; 290.067, subdivision 1; 290.0671, subdivision 1; 290.0675, subdivisions 2, 3; 290.0679, subdivision 2; 290.0802, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.17, subdivision 4; 290.191, subdivision 1; 290A.03, subdivisions 8, 15; 290C.02, subdivisions 3, 7; 290C.03; 290C.07; 290C.09; 290C.10; 290C.11; 291.005, subdivision 1; 291.03, subdivision 1; 295.50, subdivision 9b; 295.53, subdivision 1; 295.58; 297A.61, subdivisions 3, 7, 10, 12, 17, 30, 31, 34, by adding subdivisions; 297A.66, by adding a subdivision; 297A.665; 297A.668; 297A.67, subdivisions 2, 7, 8, by adding a subdivision; 297A.68, subdivisions 2, 4, 5, 36, by adding subdivisions; 297A.69, subdivisions 2, 3, 4; 297A.70, subdivisions 8, 16; 297A.71, by adding a subdivision; 297A.75, subdivision 4; 297A.81; 297A.82, subdivision 4; 297A.85; 297A.99, subdivisions 5, 10, 12; 297A.995, by adding a subdivision; 297B.01, subdivision 7; 297B.025, subdivisions 1, 2; 297B.03; 297B.035, subdivision 1, by adding a subdivision; 297F.01, subdivisions 21a, 23; 297F.05, subdivision 1; 297F.06, subdivision 4; 297F.08, subdivision 7; 297F.09, subdivisions 1, 2, by adding a subdivision; 297F.10, subdivision 1; 297F.20, subdivisions 1, 2, 3, 6, 9; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297G.09, by adding a subdivision; 297I.01, subdivision 9; 297I.20; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a, 4; 298.015, subdivisions 1, 2; 298.016, subdivision 4; 298.018; 298.24, subdivision 1; 298.27; 298.28, subdivisions 9a, 11; 298.75, subdivision 1; 325D.421, subdivision 2, by adding a subdivision; 349.16, by adding a subdivision; 352.15, subdivision 1; 353.15, subdivision 1; 354.10, subdivision 1; 354B.30; 354C.165; 366.011; 366.012; 469.169, by adding a subdivision; 469.1731, subdivision 3; 469.174, subdivisions 3, 6, 10, 25, by adding a subdivision; 469.175, subdivisions 1, 3, 4, 6; 469.176, subdivisions 1c, 2, 3, 4d, 4l, 7; 469.1763, subdivisions 1, 2, 3, 4, 6; 469.177, subdivisions 1, 12; 469.1771, subdivision 4, by adding a subdivision; 469.178, subdivision 7; 469.1791, subdivision 3; 469.1792, subdivisions 1, 2, 3; 469.1813, subdivision 8; 469.1815, subdivision 1; 473.167, subdivision 3; 473.246; 473.249, subdivision 1; 473.253, subdivision 1; 473.702; 473.711, subdivision 2a; 473F.07, subdivision 4; 477A.011, subdivisions 34, 36, by adding subdivisions; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2; 515B.1-116; 611.27, subdivisions 13, 15; Laws 1997, chapter 231, article 10, section 25; Laws 2001, First Special Session chapter 5, article 3, section 61; Laws 2001, First Special Session chapter 5, article 3, section 63; Laws 2001, First Special Session chapter 5, article 9, section 12; Laws 2001, First Special Session chapter 5, article 12, section 95, as amended; Laws 2002, chapter 377, article 6, section 4; Laws 2002, chapter 377, article 7, section 3; Laws 2002, chapter 377, article 11, section 1; Laws 2002, chapter 377, article 12, section 17; proposing coding for new law in Minnesota Statutes, chapters 3; 123A; 126C; 270; 273; 274; 275; 276; 290C; 297A; 297F; 469; 477A; repealing Minnesota Statutes 2002, sections 270.691, subdivision 8; 273.138, subdivisions 2, 3, 6; 273.1398, subdivisions 2, 2c, 4, 4d; 273.166; 274.04; 275.065, subdivisions 3a, 4; 290.0671, subdivision 3; 290.0675, subdivision 5; 294.01; 294.02; 294.021; 294.03; 294.06; 294.07; 294.08; 294.09; 294.10; 294.11; 294.12; 297A.61, subdivisions 14, 15; 297A.69, subdivision 5; 297A.72, subdivision 1; 297A.97; 298.01, subdivisions 3c, 3d, 4d, 4e; 298.017; 298.24, subdivision 3; 298.28, subdivisions 9, 9b, 10; 298.2961; 298.297; 325E.112, subdivision 2a; 473.711, subdivision 2b; 477A.011, subdivision 37; 477A.0121; 477A.0122; 477A.0123; 477A.0132; 477A.03, subdivisions 3, 4; 477A.06; 477A.065; 477A.07; Laws 1984, chapter 652, section 2; Laws 2002, chapter 390, sections 36, 37, 38; Minnesota Rules, parts 8007.0300, subpart 3; 8009.7100; 8009.7200; 8009.7300; 8009.7400; 8092.1000; 8106.0100, subparts 11, 15, 16; 8106.0200; 8125.1000; 8125.1300, subpart 1; 8125.1400; 8130.0800, subparts 5, 12; 8130.1300; 8130.1600, subpart 5; 8130.1700, subparts 3, 4; 8130.4800, subpart 2; 8130.7500, subpart 5; 8130.8000; 8130.8300.

Abrams moved that the House refuse to concur in the Senate amendments to H. F. No. 1597, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 980.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 980

A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

May 15, 2003

The Honorable James P. Metzen
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 980, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendments.

We request adoption of this report and repassage of the bill.

Senate Conferees: LEO T. FOLEY, LINDA BERGLIN AND MIKE MCGINN.

House Conferees: ERIK PAULSEN, DOUG MESLOW AND THOMAS W. PUGH.

Paulsen moved that the report of the Conference Committee on S. F. No. 980 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 980, A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Latz	Osterman	Soderstrom
Abrams	Dill	Holberg	Lenczewski	Otremba	Stang
Adolphson	Dorman	Hoppe	Lesch	Otto	Strachan
Anderson, B.	Dorn	Hornstein	Lieder	Ozment	Swenson
Anderson, I.	Eastlund	Howes	Lindgren	Paulsen	Sykora
Anderson, J.	Eken	Huntley	Lindner	Paymar	Thao
Atkins	Ellison	Jacobson	Lipman	Pelowski	Thissen
Beard	Entenza	Jaros	Magnus	Penas	Tingelstad
Bernardy	Erhardt	Johnson, J.	Mahoney	Peterson	Urdahl
Biernat	Erickson	Johnson, S.	Mariani	Powell	Vandever
Blaine	Finstad	Juhnke	Marquart	Rhodes	Wagenius
Borrell	Fuller	Kahn	McNamara	Rukavina	Walker
Boudreau	Gerlach	Kelliher	Meslow	Ruth	Walz
Bradley	Goodwin	Kielkucki	Mullery	Samuelson	Wardlow
Brod	Greiling	Klinzing	Murphy	Seagren	Wasiluk
Buesgens	Gunther	Knoblach	Nelson, C.	Seifert	Westerberg
Carlson	Haas	Koenen	Nelson, M.	Sertich	Westrom
Cornish	Hackbarth	Kohls	Nelson, P.	Severson	Wilkin
Cox	Harder	Krinkie	Nornes	Sieben	Zellers
Davnie	Hausman	Kuisle	Olsen, S.	Simpson	Spk. Sviggum
DeLaForest	Heidgerken	Lanning	Olson, M.	Slawik	
Demmer	Hilstrom	Larson	Opatz	Smith	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 990.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 990

A bill for an act relating to state government; changing certain wild rice provisions; authorizing certain embargoes; clarifying certain food provisions; clarifying an enforcement provision; changing a milk storage requirement; changing certain procedures and requirements for organic food; providing for compliance with federal law; extending a provision authorizing certain emergency restrictions; clarifying animal feedlot regulation; changing fuel provisions; changing veterans homes provisions; providing for the headquarters of the departments of agriculture and health to be named after Orville L. Freeman; eliminating a requirement for anaplasmosis testing; requiring certain reports; amending Minnesota Statutes 2002, sections 30.49, subdivision 6; 31.05, by adding a

subdivision; 31.101, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; 31.102, subdivision 1; 31.103, subdivision 1; 31.92, subdivision 3, by adding subdivisions; 31.94; 32.01, subdivision 10; 32.21, subdivision 4; 32.394, subdivisions 4, 8c; 32.415; 35.0661, subdivision 4; 35.243; 41A.09, subdivision 1a; 116.07, subdivision 7; 198.001, by adding a subdivision; 198.004, subdivision 1; 198.005; 198.007; 239.791, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 31; repealing Minnesota Statutes 2002, sections 31.92, subdivisions 2a, 5; 31.93; 31.95; 32.391, subdivisions 1a, 1b, 1c; 35.251; 198.001, subdivision 7; 198.002, subdivision 5; 198.003, subdivision 2; Minnesota Rules, parts 1700.0800; 1700.1000; 1700.1300; 1705.0550; 1705.0560; 1705.0570; 1705.0580; 1705.0590; 1705.0600; 1705.0610; 1705.0630; 1715.1430.

May 15, 2003

The Honorable James P. Metzen
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 990, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 990 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 30.49, subdivision 6, is amended to read:

Subd. 6. [PACKAGED BLENDED RICE AND CERTAIN READY-TO-EAT RICE.] A package containing a blend of wild rice and at least 40 percent other grains or food products, and ~~puffed or~~ ready-to-eat wild rice that is consumed or packaged on the retail premises, are exempt from this section, except subdivisions 3, 5, and 7.

Sec. 2. Minnesota Statutes 2002, section 31.05, is amended by adding a subdivision to read:

Subd. 5. [EMERGENCY RESPONSE.] In the event of an emergency declared by the governor's order under section 12.31, if the commissioner finds or has probable cause to believe that a food or consumer commodity within a specific area is likely to be adulterated because of the emergency or so misbranded as to be dangerous or fraudulent, or is in violation of section 31.131, subdivision 1, the commissioner may embargo a geographic area that is included in the declared emergency. The commissioner shall provide notice to the public and to those with custody of the product in as thorough a manner as is practical under the emergency circumstances.

Sec. 3. Minnesota Statutes 2002, section 31.101, subdivision 3, is amended to read:

Subd. 3. [PESTICIDE CHEMICAL RULES.] Federal pesticide chemical regulations ~~in effect on April 1, 2001,~~ adopted under authority of the Federal Insecticide, Fungicide and Rodenticide Act, as provided by United States Code, title 7, chapter 6, are the pesticide chemical rules in this state.

Sec. 4. Minnesota Statutes 2002, section 31.101, subdivision 4, is amended to read:

Subd. 4. [FOOD ADDITIVE RULES.] Federal food additive regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 21, parts 170 to 199, are the food additive rules in this state.

Sec. 5. Minnesota Statutes 2002, section 31.101, subdivision 5, is amended to read:

Subd. 5. [COLOR ADDITIVE RULES.] Federal color additive regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 21, parts 70 to 82, are the color additive rules in this state.

Sec. 6. Minnesota Statutes 2002, section 31.101, subdivision 6, is amended to read:

Subd. 6. [SPECIAL DIETARY USE RULES.] Federal special dietary use regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 21, parts 104 and 105, are the special dietary use rules in this state.

Sec. 7. Minnesota Statutes 2002, section 31.101, subdivision 7, is amended to read:

Subd. 7. [FAIR PACKAGING AND LABELING RULES.] Federal regulations ~~in effect on April 1, 2001,~~ adopted under the Fair Packaging and Labeling Act, as provided by United States Code, title 15, sections 1451 to 1461, are the rules in this state. The commissioner may not adopt amendments to these rules or adopt other rules which are contrary to the labeling requirements for the net quantity of contents required pursuant to section 4 of the Fair Packaging and Labeling Act and the regulations adopted under that act.

Sec. 8. Minnesota Statutes 2002, section 31.101, subdivision 8, is amended to read:

Subd. 8. [FOOD AND DRUGS RULES.] Applicable federal regulations including recodification contained in Code of Federal Regulations, title 21, parts 0-1299, Food and Drugs, ~~in effect April 1, 2001,~~ and not otherwise adopted herein, also are adopted as food rules of this state.

Sec. 9. Minnesota Statutes 2002, section 31.101, subdivision 9, is amended to read:

Subd. 9. [FISHERY PRODUCTS RULES.] Federal regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 50, parts 260 to 267, are incorporated as part of the fishery products rules in this state for state inspections performed under a cooperative agreement with the United States Department of Commerce, National Marine Fisheries Service.

Sec. 10. Minnesota Statutes 2002, section 31.101, subdivision 10, is amended to read:

Subd. 10. [MEAT AND POULTRY RULES.] Federal regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 9, part 301, et seq., are incorporated as part of the meat and poultry rules in this state.

Sec. 11. Minnesota Statutes 2002, section 31.101, subdivision 11, is amended to read:

Subd. 11. [STANDARDS FOR FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS.] Federal regulations ~~in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 7, parts 51 and 52, are incorporated as part of the rules in this state.

Sec. 12. Minnesota Statutes 2002, section 31.101, subdivision 12, is amended to read:

Subd. 12. [DAIRY GRADE RULES; MANUFACTURING PLANT STANDARDS.] Federal grading and inspection standards for manufacturing dairy plants and products ~~and amendments thereto in effect on April 1, 2001,~~ as provided by Code of Federal Regulations, title 7, part 58, subparts B-W, are adopted as the dairy grade rules and manufacturing plant standards in this state.

Sec. 13. Minnesota Statutes 2002, section 31.102, subdivision 1, is amended to read:

Subdivision 1. [IDENTITY, QUANTITY, AND FILL OF CONTAINER RULES.] Federal definitions and standards of identity, quality, and fill of container ~~in effect on April 1, 2001,~~ adopted under authority of the federal act, are the definitions and standards of identity, quality, and fill of container in this state. The rules may be amended by the commissioner under chapter 14.

Sec. 14. Minnesota Statutes 2002, section 31.103, subdivision 1, is amended to read:

Subdivision 1. [CONSUMER COMMODITIES LABELING RULES.] All labels of consumer commodities must conform with the requirements for the declaration of net quantity of contents of section 4 of the Fair Packaging and Labeling Act (United States Code, title 15, section 1451 et seq.) and federal regulations ~~in effect on April 1, 2001,~~ adopted under authority of that act, except to the extent that the commissioner amends the rules under chapter 14. Consumer commodities exempted from the requirements of section 4 of the Fair Packaging and Labeling Act are also exempt from this subdivision.

Sec. 15. Minnesota Statutes 2002, section 31.92, is amended by adding a subdivision to read:

Subd. 2b. [FEDERAL LAW.] "Federal law" means the Organic Foods Production Act of 1990, United States Code, title 7, sections 6501 et seq. and associated regulations in Code of Federal Regulations, title 7, section 205.

Sec. 16. Minnesota Statutes 2002, section 31.92, subdivision 3, is amended to read:

Subd. 3. [ORGANIC FOOD.] "Organic food" means any food product, including meat, dairy, and beverage, that is marketed using the term "organic" or any derivative of "organic" in its labeling or advertising. "Organic" is a labeling term that refers to an agricultural product produced in accordance with federal law.

Sec. 17. Minnesota Statutes 2002, section 31.92, is amended by adding a subdivision to read:

Subd. 3a. [ORGANIC PRODUCTION.] "Organic production" means a production system that is managed in accordance with federal law to respond to site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.

Sec. 18. [31.925] [UNIFORMITY WITH FEDERAL LAW.]

The federal law specified in section 31.92, subdivision 2b, is adopted as the organic food production law and rules in this state.

Sec. 19. Minnesota Statutes 2002, section 31.94, is amended to read:

31.94 [COMMISSIONER DUTIES.]

~~(a) The commissioner shall enforce sections 31.92 to 31.95. The commissioner shall withhold from sale or trade any product sold, labeled, or advertised in violation of sections 31.92 to 31.95.~~

~~(b) The commissioner shall investigate the offering for sale, labeling, or advertising of an article or substance as organically grown, organically processed, or produced in an organic environment if there is reason to believe that action is in violation of sections 31.92 to 31.95.~~

~~(c) The commissioner may adopt rules that further clarify organic food standards and marketing practices.~~

~~(d)~~ In order to promote opportunities for organic agriculture in Minnesota, the commissioner shall:

(1) survey producers and support services and organizations to determine information and research needs in the area of organic agriculture practices;

(2) work with the University of Minnesota to demonstrate the on-farm applicability of organic agriculture practices to conditions in this state;

(3) direct the programs of the department so as to work toward the promotion of organic agriculture in this state;

(4) inform agencies of how state or federal programs could utilize and support organic agriculture practices; and

(5) work closely with ~~farmers~~ producers, the University of Minnesota, the Minnesota trade office, and other appropriate organizations to identify opportunities and needs as well as ensure coordination and avoid duplication of state agency efforts regarding research, teaching, marketing, and extension work relating to organic agriculture.

(~~e~~) (b) By November 15 of each even-numbered year the commissioner, in conjunction with the task force created in ~~section 31.95, subdivision 3a paragraph (c)~~, shall report on the status of organic agriculture in Minnesota to the legislative policy and finance committees and divisions with jurisdiction over agriculture. The report must include:

(1) a description of current state or federal programs directed toward organic agriculture, including significant results and experiences of those programs;

(2) a description of specific actions the department of agriculture is taking in the area of organic agriculture, including the proportion of the department's budget spent on organic agriculture;

(3) a description of current and future research needs at all levels in the area of organic agriculture; ~~and~~

(4) suggestions for changes in existing programs or policies or enactment of new programs or policies that will affect organic agriculture;

(5) a description of market trends and potential for organic products;

(6) available information, using currently reliable data, on the price received, yield, and profitability of organic farms, and a comparison with data on conventional farms; and

(7) available information, using currently reliable data, on the positive and negative impacts of organic production on the environment and human health.

(c) The commissioner shall appoint a Minnesota organic advisory task force to advise the commissioner on policies and practices to improve organic agriculture in Minnesota. The task force must consist of the following residents of the state:

(1) three farmers using organic agriculture methods;

(2) two organic food wholesalers, retailers, or distributors;

(3) one representative of organic food certification agencies;

(4) two organic food processors;

(5) one representative from the Minnesota extension service;

(6) one representative from a Minnesota postsecondary research institution;

(7) one representative from a nonprofit organization representing producers;

(8) one at-large member;

(9) one representative from the United States Department of Agriculture; and

(10) one organic consumer representative.

Terms, compensation, and removal of members are governed by section 15.059, subdivision 6. The task force must meet at least twice each year and expires on June 30, 2005.

(d) For the purposes of expanding, improving, and developing production and marketing of the organic products of Minnesota agriculture, the commissioner may receive funds from state and federal sources and spend them, including through grants or contracts, to assist producers and processors to achieve certification, to conduct education or marketing activities, to enter into research and development partnerships, or to address production or marketing obstacles to the growth and well-being of the industry.

(e) The commissioner may facilitate the registration of state organic production and handling operations including those exempt from organic certification according to Code of Federal Regulations, title 7, section 205.101, and certification agents operating within the state.

Sec. 20. Minnesota Statutes 2002, section 32.01, subdivision 10, is amended to read:

Subd. 10. [DAIRY PRODUCT.] "Dairy product" means milk as defined by Code of Federal Regulations, title 21, cream, any product or by-product of either, or any commodity among the principal constituents or ingredients of which is one or a combination of two or more of them, as determined by standards, grades, or rules duly adopted by the commissioner.

Sec. 21. Minnesota Statutes 2002, section 32.21, subdivision 4, is amended to read:

Subd. 4. [PENALTIES.] (a) A person, other than a milk producer, who violates this section is guilty of a misdemeanor or subject to a civil penalty up to \$1,000.

(b) A milk producer may not change milk plants within 30 days, without permission of the commissioner, after receiving notification from the commissioner under paragraph (c) or (d) that the milk producer has violated this section.

(c) A milk producer who violates subdivision 3, clause (1), (2), (3), (4), or (5), is subject to clauses (1) to (3) of this paragraph.

(1) Upon notification of the first violation in a 12-month period, the producer must meet with the ~~dairy plant field service representative~~ qualified dairy sanitarian to initiate corrective action within 30 days.

(2) Upon the second violation within a 12-month period, the producer is subject to a civil penalty of \$300. The commissioner shall notify the producer by certified mail stating the penalty is payable in 30 days, the consequences of failure to pay the penalty, and the consequences of future violations.

(3) Upon the third violation within a 12-month period, the producer is subject to an additional civil penalty of \$300 and possible revocation of the producer's permit or certification. The commissioner shall notify the producer by certified mail that all civil penalties owed must be paid within 30 days and that the commissioner is initiating administrative procedures to revoke the producer's permit or certification to sell milk for at least 30 days.

(d) The producer's shipment of milk must be immediately suspended if the producer is identified as an individual source of milk containing residues causing a bulk load of milk to test positive in violation of subdivision 3, clause (6) or (7). The Grade A or manufacturing grade permit must be converted to temporary status for not more than 30 days and shipment may resume only after subsequent milk has been sampled by the commissioner or the commissioner's agent and found to contain no residues above established tolerances or safe levels.

The Grade A or manufacturing grade permit may be restored if the producer completes the "Milk and Dairy Beef Residue Prevention Protocol" with a licensed veterinarian, displays the signed certificate in the milkhouse, and sends verification to the commissioner within the 30-day temporary permit status period. If the producer does not comply within the temporary permit status period, the Grade A or manufacturing grade permit must be suspended. A milk producer whose milk supply is in violation of subdivision 3, clause (6) or (7), and has caused a bulk load to test positive is subject to clauses (1) to (3) of this paragraph.

(1) For the first violation in a 12-month period, the penalty is the value of all milk on the contaminated load plus any costs associated with the disposition of the contaminated load. Future pickups are prohibited until subsequent testing reveals the milk is free of drug residue. A farm inspection must be completed by ~~the plant representative~~ a qualified dairy sanitarian and the producer to determine the cause of the residue and actions required to prevent future violations.

(2) For the second violation in a 12-month period, the penalty is the value of all milk on the contaminated load plus any costs associated with the disposition of the contaminated load. Future pickups are prohibited until subsequent testing reveals the milk is free of drug residue. A farm inspection must be completed by the regulatory agency or its agent to determine the cause of the residue and actions required to prevent future violations.

(3) For the third violation in a 12-month period, the penalty is the value of all milk on the contaminated load plus any costs associated with the disposition of the contaminated load. Future pickups are prohibited until subsequent testing reveals the milk is free of drug residue. The commissioner or the commissioner's agent shall also notify the producer by certified mail that the commissioner is initiating administrative procedures to revoke the producer's right to sell milk for a minimum of 30 days.

(4) If a bulk load of milk tests negative for residues and there is a positive producer sample on the load, no civil penalties may be assessed to the producer. The plant must report the positive result within 24 hours and reject further milk shipments from that producer until the producer's milk tests negative. A farm inspection must be completed by the plant representative and the producer to determine the cause of the residue and actions required to prevent future violations. The department shall suspend the producer's permit and count the violation on the producer's record. The Grade A or manufacturing grade permit must be converted to temporary status for not more than 30 days during which time the producer must review the "Milk and Dairy Beef Residue Prevention Protocol" with a licensed veterinarian, display the signed certificate in the milkhouse, and send verification to the commissioner. If these conditions are met, the Grade A or manufacturing grade permit must be reinstated. If the producer does not comply within the temporary permit status period, the Grade A or manufacturing grade permit must be suspended.

(e) A milk producer that has been certified as completing the "Milk and Dairy Beef Residue Prevention Protocol" within 12 months of the first violation of subdivision 3, clause (7), need only review the cause of the violation with a field service representative within three days to maintain Grade A or manufacturing grade permit and shipping status if all other requirements of this section are met.

(f) Civil penalties collected under this section must be deposited in the milk inspection services account established in this chapter.

Sec. 22. Minnesota Statutes 2002, section 32.394, subdivision 4, is amended to read:

Subd. 4. [RULES.] The commissioner shall by rule promulgate identity, production and processing standards for milk, milk products and goat milk which are intended to bear the Grade A label.

In the exercise of the authority to establish requirements for Grade A milk, milk products, and goat milk, the commissioner adopts definitions, standards of identity, and requirements for production and processing contained in the "~~1999~~ 2001 Grade A Pasteurized Milk Ordinance" and the "1995 Grade A Condensed and Dry Milk Ordinance" of the United States Department of Health and Human Services, in a manner provided for and not in conflict with law.

Sec. 23. Minnesota Statutes 2002, section 32.394, subdivision 8c, is amended to read:

Subd. 8c. [GRADE A OR MANUFACTURING GRADE RAW MILK.] Grade A or manufacturing grade raw milk must not have been stored longer than ~~76~~ 72 hours when it is picked up at the farm by the receiving plant. The commissioner or an agent of the commissioner may waive the ~~76-hour~~ 72-hour time limit in a case of hardship, emergency, or natural disaster. On farms permitted or certified for bulk tank storage, the milk may only be picked up from approved bulk milk tanks in proper working order.

Sec. 24. Minnesota Statutes 2002, section 32.415, is amended to read:

32.415 [MILK FOR MANUFACTURING; QUALITY STANDARDS.]

(a) The commissioner may adopt rules to provide uniform quality standards, and producers of milk used for manufacturing purposes shall conform to the standards contained in Subparts B, C, D, E, and F of the United States Department of Agriculture Consumer and Marketing Service Recommended Requirements for Milk for Manufacturing Purposes and its Production and Processing, as revised through ~~November 12, 1996~~ June 17, 2002, except that the commissioner shall develop methods by which producers can comply with the standards without violation of religious beliefs.

(b) The commissioner shall perform or contract for the performance of the inspections necessary to implement this section or shall certify dairy industry personnel to perform the inspections.

(c) The commissioner and other employees of the department shall make every reasonable effort to assist producers in achieving the milk quality standards at minimum cost and to use the experience and expertise of the University of Minnesota and the agricultural extension service to assist producers in achieving the milk quality standards in the most cost-effective manner.

(d) The commissioner shall consult with producers, processors, and others involved in the dairy industry in order to prepare for the implementation of this section including development of informational and educational materials, meetings, and other methods of informing producers about the implementation of standards under this section.

Sec. 25. Minnesota Statutes 2002, section 35.0661, subdivision 4, is amended to read:

Subd. 4. [EXPIRATION.] This section expires July 31, ~~2003~~ 2005.

Sec. 26. Minnesota Statutes 2002, section 41A.09, subdivision 1a, is amended to read:

Subd. 1a. [ETHANOL PRODUCTION GOAL.] It is a goal of the state that ethanol production plants in the state attain a total annual production level of:

(1) 240,000,000 gallons in 2003;

(2) 300,000,000 gallons in 2004;

(3) 360,000,000 gallons in 2005 and 2006;

(4) 420,000,000 gallons in 2007; and

(5) 480,000,000 gallons in 2008 and subsequent years.

Sec. 27. Minnesota Statutes 2002, section 41D.01, subdivision 4, is amended to read:

Subd. 4. [EXPIRATION.] This section expires on June 30, ~~2003~~ 2008.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 28. Minnesota Statutes 2002, section 97C.605, subdivision 2c, is amended to read:

Subd. 2c. [LICENSE EXEMPTIONS.] A person does not need a turtle seller's license or an angling license:

(1) when buying turtles for resale at a retail outlet;

(2) when buying a turtle at a retail outlet; ~~or~~

(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller; or

(4) to take, possess, and rent or sell up to 25 turtles for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person is a resident under age 18. The person is responsible for the well-being of the turtles.

Sec. 29. Minnesota Statutes 2002, section 116.07, subdivision 7, is amended to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(a) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the pollution control agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14. For permit applications filed after October 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. Pastures are exempt from the rules authorized under this paragraph. A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not become required solely because of a change in the ownership of the buildings, grounds, or feedlot. These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the members of legislative policy and finance committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

(m) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(n) For the purposes of feedlot permitting, a discharge from land-applied manure or a manure stockpile that is managed according to agency rule must not be subject to a fine for a discharge violation.

(o) For the purposes of feedlot permitting, manure that is land applied, or a manure stockpile that is managed according to agency rule, must not be considered a discharge into waters of the state, unless the discharge is to waters of the state, as defined by section 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005, subdivision 17b, and does not meet discharge standards established for feedlots under agency rule.

(p) Unless the upgrade is needed to correct an immediate public health threat under section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on April 15, 2003, the agency may not require a feedlot operator:

(1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal units unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade; or

(2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade or \$50,000, whichever is less.

(q) For the purposes of this section, "pastures" means areas, including winter feeding areas as part of a grazing area, where grass or other growing plants are used for grazing and where the concentration of animals allows a vegetative cover to be maintained during the growing season except that vegetative cover is not required:

(1) in the immediate vicinity of supplemental feeding or watering devices;

(2) in associated corrals and chutes where livestock are gathered for the purpose of sorting, veterinary services, loading and unloading trucks and trailers, and other necessary activities related to good animal husbandry practices; and

(3) in associated livestock access lanes used to convey livestock to and from areas of the pasture.

Sec. 30. Minnesota Statutes 2002, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ~~comply with the following requirements:~~

~~(a) After October 1, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least 2.7 percent oxygen by weight.~~

~~(b) After October 1, 1997, ensure that all gasoline sold or offered for sale in Minnesota must contain at least 2.7 10.0 percent oxygen denatured ethanol by weight volume.~~

~~(c) For the purposes of this subdivision, the oxygenates listed in section 239.761, subdivision 6, paragraph (b), shall not be included in calculating the oxygen content of the gasoline.~~

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 9.2 percent by volume and not more than 10.0 percent by volume of the blend as determined by an appropriate United States Environment Protection Agency of American Society of Testing Materials standard method of analysis of alcohol/ether content in motor fuels.

Sec. 31. Minnesota Statutes 2002, section 500.221, subdivision 2, is amended to read:

Subd. 2. [ALIENS AND NON-AMERICAN CORPORATIONS.] Except as hereinafter provided, no natural person shall acquire directly or indirectly any interest in agricultural land unless the person is a citizen of the United States or a permanent resident alien of the United States. In addition to the restrictions in section 500.24, no corporation, partnership, limited partnership, trustee, or other business entity shall directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial or otherwise, in any title to agricultural land unless at least 80 percent of each class of stock issued and outstanding or 80 percent of the ultimate beneficial interest of the entity is held directly or indirectly by citizens of the United States or permanent resident aliens. This section shall not apply:

(1) to agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise. All agricultural land acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership;

(2) to citizens or subjects of a foreign country whose rights to hold land are secured by treaty;

(3) to lands used for transportation purposes by a common carrier, as defined in section 218.011, subdivision 10;

(4) to lands or interests in lands acquired for use in connection with (i) the production of timber and forestry products by a corporation organized under the laws of Minnesota, or (ii) mining and mineral processing operations. Pending the development of agricultural land for the production of timber and forestry products or mining purposes the land may not be used for farming except under lease to a family farm, a family farm corporation or an authorized farm corporation;

(5) to agricultural land operated for research or experimental purposes if the ownership of the agricultural land is incidental to the research or experimental objectives of the person or business entity and the total acreage owned by the person or business entity does not exceed the acreage owned on May 27, 1977;

(6) to the purchase of any tract of 40 acres or less for facilities incidental to pipeline operation by a company operating a pipeline as defined in section 116I.01, subdivision 3; ~~or~~

(7) to agricultural land and land capable of being used as farmland in vegetable processing operations that is reasonably necessary to meet the requirements of pollution control law or rules; or

(8) to an interest in agricultural land held on the effective date of this section by a natural person with a nonimmigrant treaty investment visa, pursuant to United States Code, title 8, section 1101(a)15(E)(ii), if, within five years after the effective date of this section, the person:

(i) disposes of all agricultural land held; or

(ii) becomes a permanent resident alien of the United States or a United States citizen.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 32. [REPEALER.]

Subdivision 1. [ANAPLASMOSIS TESTING REQUIREMENT.] Minnesota Statutes 2002, section 35.251, is repealed.

Subd. 2. [RELATED RULES.] Minnesota Rules, parts 1700.0800; 1700.1000; 1700.1300; 1705.0550; 1705.0560; 1705.0570; 1705.0580; 1705.0590; 1705.0600; 1705.0610; 1705.0630; and 1715.1430, are repealed.

Sec. 33. [REPEALER.]

Minnesota Statutes 2002, sections 31.92, subdivisions 2a and 5; 31.93; 31.95; 32.391, subdivisions 1a, 1b, and 1c, are repealed.

Sec. 34. [EFFECTIVE DATE.]

Section 1 is effective August 1, 2004. Sections 25 and 32 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; changing certain wild rice provisions; changing certain procedures and requirements for organic food; clarifying certain food provisions; clarifying an enforcement provision; changing a milk storage requirement; providing for compliance with federal law; extending a provision authorizing certain emergency restrictions; setting certain ethanol goals; changing certain animal lot regulations; requiring that certain gasoline contain denatured ethanol; eliminating a requirement for anaplasmosis testing; extending an agency sunset; providing a turtle seller's license exemption; authorizing certain persons to own and operate agricultural land; amending Minnesota Statutes 2002, sections 30.49, subdivision 6; 31.05, by adding a subdivision; 31.101, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; 31.102, subdivision 1; 31.103, subdivision 1; 31.92, subdivision 3, by adding subdivisions; 31.94; 32.01, subdivision 10; 32.21, subdivision 4; 32.394, subdivisions 4, 8c; 32.415; 35.0661, subdivision 4; 41A.09, subdivision 1a; 41D.01, subdivision 4; 97C.605, subdivision 2c; 116.07, subdivision 7; 239.791, subdivision 1; 500.221, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 31; repealing Minnesota Statutes 2002, sections 31.92, subdivisions 2a, 5; 31.93; 31.95; 32.391, subdivisions 1a, 1b, 1c; 35.251; Minnesota Rules, parts 1700.0800; 1700.1000; 1700.1300; 1705.0550; 1705.0560; 1705.0570; 1705.0580; 1705.0590; 1705.0600; 1705.0610; 1705.0630; and 1715.1430."

We request adoption of this report and repassage of the bill.

Senate Conferees: STEVE MURPHY, STEVE DILLE AND GARY W. KUBLY.

House Conferees: HOWARD SWENSON, GREG BLAINE AND MAXINE PENAS.

Swenson moved that the report of the Conference Committee on S. F. No. 990 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 990, A bill for an act relating to state government; changing certain wild rice provisions; authorizing certain embargoes; clarifying certain food provisions; clarifying an enforcement provision; changing a milk storage requirement; changing certain procedures and requirements for organic food; providing for compliance with federal law; extending a provision authorizing certain emergency restrictions; clarifying animal feedlot regulation; changing fuel provisions; changing veterans homes provisions; providing for the headquarters of the departments of agriculture and health to be named after Orville L. Freeman; eliminating a requirement for anaplasmosis testing; requiring certain reports; amending Minnesota Statutes 2002, sections 30.49, subdivision 6; 31.05, by adding a subdivision; 31.101, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; 31.102, subdivision 1; 31.103, subdivision 1; 31.92, subdivision 3, by adding subdivisions; 31.94; 32.01, subdivision 10; 32.21, subdivision 4; 32.394, subdivisions 4, 8c; 32.415; 35.0661, subdivision 4; 35.243; 41A.09, subdivision 1a; 116.07, subdivision 7; 198.001, by adding a subdivision; 198.004, subdivision 1; 198.005; 198.007; 239.791, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 31; repealing Minnesota Statutes 2002, sections 31.92, subdivisions 2a, 5; 31.93; 31.95; 32.391, subdivisions 1a, 1b, 1c; 35.251; 198.001, subdivision 7; 198.002, subdivision 5; 198.003, subdivision 2; Minnesota Rules, parts 1700.0800; 1700.1000; 1700.1300; 1705.0550; 1705.0560; 1705.0570; 1705.0580; 1705.0590; 1705.0600; 1705.0610; 1705.0630; 1715.1430.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Lenczewski	Ozment	Stang
Abrams	Dill	Holberg	Lesch	Paulsen	Strachan
Adolphson	Dorman	Hoppe	Lieder	Paymar	Swenson
Anderson, B.	Dorn	Hornstein	Lindgren	Pelowski	Sykora
Anderson, I.	Eastlund	Howes	Lindner	Penas	Thao
Anderson, J.	Eken	Huntley	Lipman	Peterson	Thissen
Atkins	Ellison	Jacobson	Magnus	Powell	Tingelstad
Beard	Entenza	Jaros	Mahoney	Pugh	Urdahl
Bernardy	Erhardt	Johnson, J.	Mariani	Rhodes	Vandever
Biernat	Erickson	Johnson, S.	Marquart	Rukavina	Wagenius
Blaine	Finstad	Juhnke	McNamara	Ruth	Walker
Borrell	Fuller	Kahn	Meslow	Samuelson	Walz
Boudreau	Gerlach	Kelliher	Mullery	Seagren	Wardlow
Bradley	Goodwin	Kielkucki	Murphy	Seifert	Wasiluk
Brod	Greiling	Klinzing	Nelson, C.	Sertich	Westerberg
Buesgens	Gunther	Knoblach	Nelson, M.	Severson	Westrom
Carlson	Haas	Koenen	Nelson, P.	Sieben	Wilkin
Cornish	Hackbarth	Kohls	Nornes	Simpson	Zellers
Cox	Harder	Kuisle	Olsen, S.	Slawik	Spk. Sviggum
Davnie	Hausman	Lanning	Opatz	Smith	
DeLaForest	Heidgerken	Larson	Osterman	Soderstrom	
Demmer	Hilstrom	Latz	Otto	Solberg	

Those who voted in the negative were:

Krinkie	Olson, M.	Otremba
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The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 624, A bill for an act relating to state government; requiring local government impact notes; requiring a determination of the aggregate cost of complying with proposed rules; amending Minnesota Statutes 2002, section 3.987, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 14.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Seifert moved that the House concur in the Senate amendments to H. F. No. 624 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 624, A bill for an act relating to state government; providing for local government impact notes; providing that certain rules take effect only upon legislative approval; proposing coding for new law in Minnesota Statutes, chapter 14.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 117 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Holberg	Lesch	Otto	Soderstrom
Abrams	Dempsey	Hoppe	Lieder	Ozment	Solberg
Adolphson	Dill	Howes	Lindgren	Paulsen	Stang
Anderson, B.	Dorman	Huntley	Lindner	Pelowski	Strachan
Anderson, I.	Dorn	Jacobson	Magnus	Penas	Swenson
Anderson, J.	Eastlund	Jaros	Mariani	Peterson	Sykora
Atkins	Eken	Johnson, J.	Marquart	Powell	Tingelstad
Beard	Entenza	Johnson, S.	McNamara	Pugh	Urdahl
Bernardy	Erhardt	Juhnke	Meslow	Rhodes	Vandever
Blaine	Erickson	Kelliher	Mullery	Rukavina	Walz
Borrell	Finstad	Kielkucki	Murphy	Ruth	Wardlow
Boudreau	Fuller	Klinzing	Nelson, C.	Samuelson	Wasiluk
Bradley	Gerlach	Knoblach	Nelson, M.	Seagren	Westerberg
Brod	Gunther	Koenen	Nelson, P.	Seifert	Westrom
Buesgens	Haas	Kohls	Nornes	Sertich	Wilkin
Carlson	Hackbarth	Krinkie	Olsen, S.	Severson	Zellers
Cornish	Harder	Kuisle	Olson, M.	Sieben	Spk. Sviggum
Cox	Heidgerken	Lanning	Opatz	Simpson	
Davnie	Hilstrom	Latz	Osterman	Slawik	
DeLaForest	Hilty	Lenczewski	Otremba	Smith	

Those who voted in the negative were:

Biernat	Greiling	Kahn	Mahoney	Thissen
Ellison	Hausman	Larson	Paymar	Wagenius
Goodwin	Hornstein	Lipman	Thao	Walker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 414, A bill for an act relating to natural resources; updating soil and water conservation district law; changing requirements for petitions and elections relating to soil and water conservation districts; clarifying removal provisions for soil and water conservation district supervisors; amending Minnesota Statutes 2002, sections 103A.206; 103C.005; 103C.101, subdivisions 6, 9, by adding a subdivision; 103C.201, subdivisions 1, 2, 5, 6, 7, 8; 103C.205; 103C.211; 103C.225, subdivisions 1, 3, 4, 8; 103C.305, subdivision 1; 103C.311, subdivisions 1, 2; 103C.315, subdivisions 1, 2, 4, 5; 103C.331, subdivisions 11, 12, 19, by adding a subdivision; 103C.401, subdivisions 1, 2; 351.14, subdivision 5; repealing Minnesota Statutes 2002, section 103C.301.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cox moved that the House concur in the Senate amendments to H. F. No. 414 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 414, A bill for an act relating to natural resources; updating soil and water conservation district law; changing requirements for petitions and elections relating to soil and water conservation districts; clarifying removal provisions for soil and water conservation district supervisors; amending Minnesota Statutes 2002, sections 103A.206; 103C.005; 103C.101, subdivisions 6, 9, by adding a subdivision; 103C.201, subdivisions 1, 2, 5, 6, 7, 8; 103C.205; 103C.211; 103C.225, subdivisions 1, 3, 4, 8; 103C.305, subdivision 1; 103C.311, subdivisions 1, 2; 103C.315, subdivisions 1, 2, 4, 5; 103C.331, subdivisions 11, 12, 19, by adding a subdivision; 103C.401, subdivisions 1, 2; 351.14, subdivision 5; repealing Minnesota Statutes 2002, section 103C.301.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 117 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilty	Lieder	Paulsen	Solberg
Abrams	Dorman	Hoppe	Lindgren	Paymar	Stang
Anderson, I.	Dorn	Hornstein	Lipman	Pelowski	Strachan
Anderson, J.	Eastlund	Howes	Magnus	Penas	Swenson
Atkins	Eken	Huntley	Mahoney	Peterson	Sykora
Beard	Ellison	Jacobson	Mariani	Powell	Thao
Bernardy	Entenza	Jaros	McNamara	Pugh	Thissen
Biernat	Erhardt	Johnson, J.	Meslow	Rhodes	Tingelstad
Blaine	Erickson	Johnson, S.	Mullery	Rukavina	Urdahl
Borrell	Finstad	Juhnke	Murphy	Ruth	Wagenius
Boudreau	Fuller	Kahn	Nelson, C.	Samuelson	Walker
Bradley	Goodwin	Kelliher	Nelson, M.	Seagren	Walz
Brod	Greiling	Knoblach	Nelson, P.	Seifert	Wardlow
Carlson	Gunther	Koenen	Nornes	Sertich	Wasiluk
Cornish	Haas	Kohls	Olsen, S.	Severson	Westrom
Cox	Hackbarth	Lanning	Opatz	Sieben	Zellers
Davnie	Harder	Larson	Osterman	Simpson	Spk. Sviggum
DeLaForest	Hausman	Latz	Otremba	Slawik	
Demmer	Heidgerken	Lenczewski	Otto	Smith	
Dempsey	Hilstrom	Lesch	Ozment	Soderstrom	

Those who voted in the negative were:

Adolphson	Gerlach	Klinzing	Lindner	Vandever
Anderson, B.	Holberg	Krinkie	Marquart	Westerberg
Buesgens	Kielkucki	Kuisle	Olson, M.	Wilkin

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 984, A bill for an act relating to cooperatives; authorizing businesses to organize as cooperative associations; providing penalties; amending Minnesota Statutes 2002, sections 80A.14, subdivision 17; 80A.15, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 308B.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Swenson moved that the House concur in the Senate amendments to H. F. No. 984 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 984, A bill for an act relating to cooperatives; authorizing businesses to organize as cooperative associations; providing penalties; amending Minnesota Statutes 2002, sections 80A.14, subdivision 17; 80A.15, subdivision 2; 322B.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 322B; proposing coding for new law as Minnesota Statutes, chapter 308B.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilstrom	Latz	Otto	Soderstrom
Abrams	Dill	Holberg	Lenczewski	Ozment	Solberg
Adolphson	Dorman	Hoppe	Lesch	Paulsen	Stang
Anderson, B.	Dorn	Hornstein	Lieder	Paymar	Strachan
Anderson, I.	Eastlund	Howes	Lindgren	Pelowski	Swenson
Anderson, J.	Eken	Huntley	Lindner	Penas	Sykora
Atkins	Ellison	Jacobson	Magnus	Peterson	Thao
Beard	Entenza	Jaros	Mahoney	Powell	Thissen
Bernardy	Erhardt	Johnson, J.	Mariani	Pugh	Tingelstad
Biernat	Erickson	Johnson, S.	Marquart	Rhodes	Urdahl
Blaine	Finstad	Juhnke	McNamara	Rukavina	Vanderveer
Borrell	Fuller	Kahn	Meslow	Ruth	Wagenius
Boudreau	Gerlach	Kelliher	Murphy	Samuelson	Walker
Bradley	Goodwin	Kielkucki	Nelson, C.	Seagren	Walz
Brod	Greiling	Klinzing	Nelson, M.	Seifert	Wardlow
Carlson	Gunther	Knoblach	Nelson, P.	Sertich	Wasiluk
Cornish	Haas	Koenen	Nornes	Severson	Westrom
Cox	Hackbarth	Kohls	Olsen, S.	Sieben	Zellers
Davnie	Harder	Kuisle	Olson, M.	Simpson	Spk. Sviggum
DeLaForest	Hausman	Lanning	Opatz	Slawik	
Demmer	Heidgerken	Larson	Osterman	Smith	

Those who voted in the negative were:

Buesgens Hilty Krinkie Otremba Westerberg Wilkin

The bill was repassed, as amended by the Senate, and its title agreed to.

CALENDAR FOR THE DAY

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Abrams announced his intention to place S. F. No. 1505 on the Fiscal Calendar for Monday, May 19, 2003.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1597:

Abrams, Knoblach, Kuisle, Lanning and Lenczewski.

MOTIONS AND RESOLUTIONS

Dorman moved that the name of Severson be added as an author on H. F. No. 1105. The motion prevailed.

Johnson, S., moved that the name of Kahn be added as an author on H. F. No. 1440. The motion prevailed.

Kielkucki moved that the name of Demmer be added as an author on H. F. No. 1620. The motion prevailed.

Kielkucki moved that the name of Demmer be added as an author on H. F. No. 1621. The motion prevailed.

Greiling moved that the name of Kahn be added as an author on H. F. No. 1623. The motion prevailed.

Sertich moved that the name of Demmer be added as an author on H. F. No. 1625. The motion prevailed.

Erickson moved that H. F. No. 1174, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 8:00 a.m., Monday, May 19, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Boudreau declared the House stands adjourned until 8:00 a.m., Monday, May 19, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives